

**OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA**

THIRTY-FOURTH DAY'S PROCEEDINGS

**Thirty-First Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Sunday, June 19, 2005

The Senate was called to order at 3:00 o'clock P.M., by Hon. Donald E. Hines, President of the Senate.

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Uilo
Duplessis	Malone	
Total - 38		

ABSENT

Total - 0

The President of the Senate announced there were 38 Senators present and a quorum.

Prayer

The prayer was offered by Senator Barham, following which the Senate joined in pledging allegiance to the flag of the United States of America.

Reading of the Journal

On motion of Senator Barham, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

Rules Suspended

Senator Barham asked for and obtained a suspension of the rules for the purpose of allowing the Committee on Finance to continue to meet while the Senate is in session.

Rules Suspended

Senator Nevers asked for and obtained a suspension of the rules for the purpose of invoking Nevers 10 minute cloture.

**Introduction of Resolutions,
Senate and Concurrent**

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

SENATE RESOLUTION NO. 147—
BY SENATOR NEVERS

A RESOLUTION

To recognize and commend Darlene Jones upon the occasion of her retirement from the Louisiana State University Agricultural Center as a Family and Consumer Sciences Extension Agent in Washington Parish.

On motion of Senator Nevers, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 148—
BY SENATOR CAIN

A RESOLUTION

To urge and request the Louisiana Airport Authority and the Department of Transportation and Development to study the feasibility of locating the Louisiana Transportation Center at the Chennault International Airport in southwest Louisiana should efforts to locate the airport in the four parish region fail.

On motion of Senator Cain, the resolution was read by title and adopted.

SENATE CONCURRENT RESOLUTION NO. 128—
BY SENATOR BROOME

A CONCURRENT RESOLUTION

To the Senate Committee on Health and Welfare and the House Committee on Health and Welfare to meet and function as a joint committee to study and clarify the issue of whether a licensed or certified social worker may continue to provide employee assistance services without additional certification for these services.

The resolution was read by title; lies over under the rules.

SENATE CONCURRENT RESOLUTION NO. 129—
BY SENATOR MURRAY

A CONCURRENT RESOLUTION

To express the intent of the legislature regarding the increased fee on criminal bail bonds in Orleans Parish contained in House Bill No. 76 of the 2005 Regular Session.

The resolution was read by title; lies over under the rules.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

FINANCE

Senator Heitmeier, Chairman on behalf of the Committee on Finance, submitted the following report:

June 18, 2005

To the President and Members of the Senate:

I am directed by your Committee on Finance to submit the following report:

HOUSE BILL NO. 2—
BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, AND DORSEY
AND SENATORS HINES, BAJOE, HEITMEIER, AND MOUNT
AN ACT

To provide with respect to the capital outlay budget and the capital outlay program for state government, state institutions, and other public entities; to provide for the designation of projects and improvements; to provide for the financing thereof making appropriations from certain sources; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 30—

BY REPRESENTATIVES JACK SMITH, BARROW, BAUDOIN, BAYLOR, DOVE, GLOVER, JEFFERSON, LAMBERT, MCDONALD, RITCHIE, ALEXANDER, BALDONE, BRUCE, BURRELL, R. CARTER, CAZAYOUX, CRANE, CRAVINS, DAMICO, DANIEL, DARTEZ, DOERGE, DORSEY, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FRITH, GREENE, E. GUILLORY, M. GUILLORY, HEBERT, HILL, HONEY, HUTTER, JACKSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LAFLEUR, LAFONTA, MCVEA, MONTGOMERY, ODINET, PIERRE, PITRE, M. POWELL, T. POWELL, RICHMOND, ROMERO, SALTER, SCALISE, SHEPHERD, SMILEY, GARY SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, AND WRIGHT

AN ACT

To amend and reenact R.S. 33:1981(C)(1) and 2201(C)(1), relative to financial security of survivors of firemen and law enforcement officers; to provide for payments to surviving spouses; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 474—

BY REPRESENTATIVE JACKSON

AN ACT

To enact Subpart Z of Part I of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:120.81, relative to state individual income tax checkoffs; to provide for a method for individuals to donate a portion of any refund due to the Community-based Primary Health Care Initiative Fund; to provide for collection and disbursement of the donation by the Department of Revenue; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 531—

BY REPRESENTATIVE THOMPSON AND SENATORS ELLINGTON AND SMITH

AN ACT

To amend and reenact R.S. 51:955.4(F) and to enact R.S. 51:955.5, relative to broadband technology; to create the Broadband Infrastructure and Information Technology Fund; to provide for the deposit of certain monies in the fund; to provide for the use of monies in the fund; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 663—

BY REPRESENTATIVES GLOVER, BAYLOR, BOWLER, BRUCE, BURRELL, AND JACK SMITH

AN ACT

To enact R.S. 15:572.8, relative to the wrongful conviction and imprisonment; to create an application process for compensation for wrongful conviction and imprisonment; to provide for compensation; to create the Innocence Compensation Fund as a special fund in the state treasury; to provide for the deposit, use, and investment of monies in the fund; to provide for the funding of annuity contracts in certain circumstances; to provide procedures for filing an application; to provide for the period of time in which the application shall be filed; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 797—

BY REPRESENTATIVES BEARD AND FAUCHEUX

AN ACT

To enact Subpart C of Part X of Chapter 26 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3398.10 through 3398.14; to provide for the establishment of one or more film institutes; to provide for the powers, duties, functions, and governance of the institutes; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 824—

BY REPRESENTATIVES ALARIO AND TRICHE

AN ACT

To provide for the establishment and reestablishment of agency ancillary funds, to be specifically known as internal service funds, auxiliary accounts, or enterprise funds for certain state institutions, officials, and agencies; to provide for appropriation of funds; and to regulate the administration of said funds.

Reported favorably.

HOUSE BILL NO. 836—

BY REPRESENTATIVES ALARIO, CAZAYOUX, DEWITT, GALLOT, LAFLEUR, SALTER, TOWNSEND, AND TRICHE AND SENATORS CHAISSON, HINES, LENTINI, AND MARIONNEAUX

AN ACT

To appropriate funds to defray the expenses of the Louisiana Judiciary, including the Supreme Court, Courts of Appeal, District Courts, Criminal District Court of Orleans Parish, and other courts; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 841—

BY REPRESENTATIVES ALARIO AND TRICHE

AN ACT

To provide with respect to the Revenue Sharing Fund and the allocation and distribution thereof for Fiscal Year 2005-2006; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 858—

BY REPRESENTATIVES SALTER, DORSEY, LANCASTER, ARNOLD, AND ALARIO AND SENATORS HINES, BAJOE, JONES, AND HEITMEIER

AN ACT

To appropriate funds for Fiscal Year 2005-2006 to defray the expenses of the Louisiana Legislature, including the expenses of the House of Representatives and the Senate, of legislative service agencies, and of the Louisiana State Law Institute; and otherwise to provide with respect to the appropriations and allocations herein made.

Reported with amendments.

Respectfully submitted,
FRANCIS C. HEITMEIER
Chairman

**House Bills and Joint Resolutions
on Second Reading
Reported by Committees**

Senator Nevers asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just reported by Committees.

HOUSE BILL NO. 2—

BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, AND DORSEY AND SENATORS HINES, BAJOE, HEITMEIER, AND MOUNT

AN ACT

To provide with respect to the capital outlay budget and the capital outlay program for state government, state institutions, and other public entities; to provide for the designation of projects and improvements; to provide for the financing thereof making appropriations from certain sources; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Re-Engrossed House Bill No. 2 by Representative Hammett

June 19, 2005

AMENDMENT NO. 1

In Senate Committee Amendment No. 34, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 17, 2005, on page 7, delete lines 17 through 21, and insert the following:

"Payable from State General Fund (Direct)	\$3,000,000
Payable from Fees and Self Generated Revenues	\$12,000,000
Payable from Revenue Bonds	\$199,989,981
Payable from General Obligation Bonds	
Priority 2	\$2,000,000
Priority 5	\$7,000,000
Total	<u>\$223,989,981"</u>

AMENDMENT NO. 2

In Senate Committee Amendment No. 37 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 17, 2005, on page 7, delete lines 48 and 49, and on page 8, delete lines 1 and 2, and insert the following:

"Payable from Fees and Self Generated Revenues	\$1,200,000
Payable from General Obligation Bonds	
Priority 2	\$750,000
Priority 3	\$2,150,000
Priority 4	\$1,400,000
Priority 5	\$2,100,000
Total	<u>\$7,600,000"</u>

AMENDMENT NO. 3

In Senate Committee Amendment No. 44, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 17, 2005, on page 8, delete lines 41 through 43, and insert the following:

"Payable from Fees and Self Generated Revenues	\$500,000
Payable from General Obligation Bonds	
Priority 2	\$5,800,000
Priority 5	\$4,450,000
Total	<u>\$10,750,000"</u>

AMENDMENT NO. 4

In Senate Committee Amendment No. 59 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 17, 2005, on page 12, delete lines 34 through 38, and insert the following:

"Payable from State General Fund (Direct)	\$25,000
Payable from General Obligation Bonds	
Priority 2	\$100,000
Priority 3	\$825,000
Priority 5	\$650,000
Total	<u>\$1,600,000"</u>

AMENDMENT NO. 5

In Senate Committee Amendment No. 61 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 17, 2005, on page 13, delete lines 7 through 10, and insert the following:

"Payable from State General Fund (Direct)	\$300,000
Payable from General Obligation Bonds	
Priority 2	\$300,000
Priority 3	\$1,000,000
Total	<u>\$1,600,000"</u>

AMENDMENT NO. 6

In Senate Committee Amendment No. 62 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 17, 2005, on page 13, delete lines 17 and 18, and insert the following:

"Payable from State General Fund (Direct)	\$250,000
Payable from General Obligation Bonds	

Priority 2	\$300,000
Total	<u>\$550,000"</u>

AMENDMENT NO. 7

In Senate Committee Amendment No. 68 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 17, 2005, on page 14, delete lines 4 through 8, and insert the following:

"Payable from State General Fund (Direct)	\$25,000
Payable from General Obligation Bonds	
Priority 2	\$200,000
Priority 3	\$645,000
Priority 5	\$100,000
Total	<u>\$970,000"</u>

AMENDMENT NO. 8

In Senate Committee Amendment No. 70 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 17, 2005, on page 14, delete lines 35 and 36, and insert the following:

"Payable from State General Fund (Direct)	\$30,000
Payable from General Obligation Bonds	
Priority 2	\$30,000
Total	<u>\$60,000"</u>

AMENDMENT NO. 9

In Senate Committee Amendment No. 74 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 17, 2005, on page 15, delete lines 33 and 34, and insert the following:

"Payable from State General Fund (Direct)	\$100,000
Payable from General Obligation Bonds	
Priority 2	\$150,000
Total	<u>\$250,000"</u>

AMENDMENT NO. 10

In Senate Committee Amendment No. 83 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 17, 2005, on page 18, delete lines 40 through 45, and insert the following:

"Payable from State General Fund (Direct)	\$25,000
Payable from General Obligation Bonds	
Priority 2	\$60,000
Priority 3	\$700,000
Priority 4	\$2,000,000
Priority 5	\$540,000
Total	<u>\$3,325,000"</u>

AMENDMENT NO. 11

In Senate Committee Amendment No. 93 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 17, 2005, on page 21, delete lines 33 and 34, and insert the following:

"Payable from State General Fund (Direct)	\$10,000
Payable from General Obligation Bonds	
Priority 2	\$20,000
Total	<u>\$30,000"</u>

AMENDMENT NO. 12

In Senate Committee Amendment No. 96, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 17, 2005, on page 22, delete lines 8 and 9, and insert:

"Payable from the balance of General Obligation Bond proceeds previously allocated under the authority of Act 2 of 2004 for Plaquemines Parish Courthouse District, New Parish	
Courthouse Planning (Plaquemines)	\$105,264

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Payable from the balance of State General (Direct) previously appropriated in Act 23 of 2002 for Plaquemines Parish Courthouse District for Plaquemines Parish Government Complex, Planning and Construction (Plaquemines)	\$155,000
Payable from General Obligation Bonds	
Priority 3	\$8,385,000
Total	<u>\$8,645,264"</u>

AMENDMENT NO. 13

In Senate Committee Amendment No. 140, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 17, 2005, on page 32, delete lines 21 and 22, and insert the following:

Payable from State General Fund (Direct)	\$15,000
Payable from General Obligation Bonds	
Priority 2	\$25,000
Total	<u>\$40,000"</u>

AMENDMENT NO. 14

In Senate Committee Amendment No. 154 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 17, 2005, on page 35, delete lines 49 through 52, and insert the following:

Payable from State General Fund (Direct)	\$75,000
Payable from General Obligation Bonds	
Priority 2	\$205,000
Priority 3	\$180,000
Total	<u>\$460,000"</u>

AMENDMENT NO. 15

In Senate Committee Amendment No. 194 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 17, 2005, on page 44, delete lines 44 through 47, and insert the following:

"Payable from State General Fund (Direct)	\$50,000
Payable from General Obligation Bonds	
Priority 2	\$125,000
Priority 5	\$125,000
Total	<u>\$300,000"</u>

AMENDMENT NO. 16

In Senate Committee Amendment No. 211 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 17, 2005, on page 48, delete lines 42 through 45, and insert the following:

"Payable from State General Fund (Direct)	\$50,000
Payable from General Obligation Bonds	
Priority 2	\$200,000
Priority 3	\$100,000
Total	<u>\$350,000"</u>

AMENDMENT NO. 17

In Senate Committee Amendment No. 223 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 17, 2005, on page 51, delete lines 13 and 14, and insert the following:

"Payable from State General Fund (Direct)	\$75,000
Payable from General Obligation Bonds	
Priority 2	\$250,000
Total	<u>\$325,000"</u>

AMENDMENT NO. 18

In Senate Committee Amendment No. 261 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 17, 2005, on page 58, delete lines 25 through 28, and insert the following:

"Payable from State General Fund (Direct)	\$150,000
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Payable from General Obligation Bonds	
Priority 2	\$200,000
Priority 3	\$2,800,000
Total	<u>\$3,150,000"</u>

AMENDMENT NO. 19

In Senate Committee Amendment No. 262 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 17, 2005, on page 58, delete lines 38 through 41, and insert the following:

"Payable from State General Fund (Direct)	\$100,000
Payable from General Obligation Bonds	
Priority 2	\$100,000
Priority 5	\$100,000
Total	<u>\$300,000"</u>

AMENDMENT NO. 20

In Senate Committee Amendment No. 264 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 17, 2005, on page 59, delete lines 10 and 11, and insert the following:

"Payable from State General Fund (Direct)	\$20,000
Payable from General Obligation Bonds	
Priority 5	\$140,000
Total	<u>\$160,000"</u>

AMENDMENT NO. 21

In Senate Committee Amendment No. 282 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 17, 2005, on page 62, delete lines 32 through 36, and insert the following:

"Payable from State General Fund (Direct)	\$25,000
Payable from General Obligation Bonds	
Priority 2	\$250,000
Priority 3	\$150,000
Priority 5	\$100,000
Total	<u>\$525,000"</u>

AMENDMENT NO. 22

In Senate Committee Amendment No. 283 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 17, 2005, on page 62, delete lines 45 and 46, and insert the following:

"Payable from State General Fund (Direct)	\$50,000
Payable from General Obligation Bonds	
Priority 2	\$170,000
Total	<u>\$220,000"</u>

AMENDMENT NO. 23

On page 12, on line 3, change "Grammy Exposition" to "Louisiana Music Experience"

AMENDMENT NO. 24

On page 19, at the end of line 13, change "\$66,557,674" to "\$66,157,674"

AMENDMENT NO. 25

On page 25, delete lines 34 and 35, and insert the following:

"Payable from State General Fund (Direct) previously appropriated in Act 28 of 1997 for the Dept. of Corrections, Remedial Actions for State Fire Marshal Citations, Planning and Construction at Jetson Correctional Center for Youth	\$10,327
Payable from General Obligation Bonds	
Priority 1	\$290,000
Total	<u>\$300,327"</u>

AMENDMENT NO. 26

On page 25, between lines 35 and 36, insert the following:

"(1259) Community Based Program, Juvenile Justice Improvements, Planning, Construction, Renovation, Acquisition, and Equipment (Statewide)
Payable from the balance of Inter-Agency Transfer funds previously approved by the Joint Legislative Committee on the Budget on October 24, 2001, for Swanson Correctional Center for Youth, Juvenile Justice Renovations \$200,500"

AMENDMENT NO. 27

On page 31, delete lines 21 through 24, and insert the following:

"Payable from Fees and Self-Generated Revenues	\$500,000
Payable from Revenue Bonds	<u>\$23,000,000</u>
Total	<u>\$23,500,000</u> "

AMENDMENT NO. 28

On page 31, between lines 42 and 43, insert the following:

"(1422) Renovations and Additions to the Student Center, Planning and Construction (Rapides)
Payable from Revenue Bonds \$2,117,180"

AMENDMENT NO. 29

On page 32, between lines 42 and 43, insert the following:

"(1423) Clinical Sciences Building Lab Exhaust System Remediation, Planning and Construction (Orleans)
Payable from Federal Funds \$1,408,274"

AMENDMENT NO. 30

On page 34, between lines 26 and 27, insert the following:

"(549) Master Planning for New Huey P. Long Medical Facility, Planning (Rapides)
Payable from Fees and Self-Generated Revenues \$ 877,000"

AMENDMENT NO. 31

On page 35, delete lines 24 and 29

AMENDMENT NO. 32

On page 39, delete line 12

AMENDMENT NO. 33

On page 46, at the end of line 43, delete "\$100,000" and insert "\$150,000"

AMENDMENT NO. 34

On page 48, delete lines 5 and 6, and insert the following:

"Payable from State General Fund (Direct)	\$50,000
Payable from General Obligation Bonds	
Priority 2	<u>\$250,000</u>
Total	<u>\$300,000</u> "

AMENDMENT NO. 35

On page 48, between lines 17 and 18, insert the following:

"(1416) Three Pine Church Road Improvements, Planning and Construction (Beauregard)
Payable from State General Fund (Direct) \$50,000"

AMENDMENT NO. 36

On page 61, delete lines 33 through 36,

AMENDMENT NO. 37

On page 62, delete lines 21 through 24, and insert the following:

"Payable from State General Fund (Direct)	\$125,000
Payable from General Obligation Bonds	
Priority 2	\$140,000
Priority 5	<u>\$1,250,000</u>
Total	<u>\$1,515,000</u> "

AMENDMENT NO. 38

On page 63, between lines 35 and 36, insert the following:

"50/M09 ARCADIA

() State Project and Downtown City Park and Restroom Facilities, Acquisitions, Planning and Construction (Bienville)
Payable from State General Fund (Direct) \$15,000"

AMENDMENT NO. 39

On page 68, between lines 12 and 13, insert the following:

"50/MC5 HEFLIN

() Public Safety Equipment, Acquisition (Webster)
Payable from State General Fund (Direct) \$25,000

Pending submittal of capital outlay budget request pursuant to the provisions of R.S. 39:112 "

AMENDMENT NO. 40

On page 68, delete lines 38 through 41, and insert the following:

"Payable from State General Fund (Direct)	\$155,000
Payable from General Obligation Bonds	
Priority 2	\$530,000
Priority 5	<u>\$530,000</u>
Total	<u>\$1,215,000</u> "

AMENDMENT NO. 41

On page 85, delete lines 22 through 25, and insert the following:

"Payable from State General Fund (Direct)	\$100,000
Payable from General Obligation Bonds	
Priority 2	\$250,000
Priority	<u>\$350,000</u>
Total	<u>\$700,000</u> "

AMENDMENT NO. 42

On page 95, between lines 29 and 30, insert the following:

"50/NN5 BEAUREGUARD PARISH COVERED ARENA

() Beauregard Parish Covered Arena, Expansion, R. V. Connections and Stalls, Planning and Construction (Beauregard)
Payable from State General Fund (Direct) \$50,000

Pending submittal of capital outlay request pursuant to the provisions of R.S. 39:112."

AMENDMENT NO. 43

On page 99, between lines 41 and 42, insert the following:

"50/N THE SHEPHERD CENTER, INC.

(724) St. Joseph Shepherd Center, Planning and Construction (Tensas)
Payable from State General Fund (Direct) \$77,000"

AMENDMENT NO. 44

On page 105, line 29, after "Improvements." and before "Notwithstanding" insert the following:

"Notwithstanding anything contained in this Act to the contrary or any other provision of law, the scope of the appropriation made in the Capital Outlay Act of the 2005 Regular Session of the Legislature for African American Museum for the Northeast Louisiana African American Heritage Museum project shall be deemed to include land acquisition and the local match shall not be required for such land acquisition."

AMENDMENT NO. 45

On page 107, line 21, after "Administration." and before "Eligible" insert the following:

"Notwithstanding any other provision of this Act or other law to the contrary, the Ernest N. Morial New Orleans Exhibition Hall Authority, for the Phase IV Convention Center Expansion project may negotiate with respect to the price, conditions and terms of the contract to be entered into for the construction of the project; provided, that prior to the execution of the contract, it must be submitted to the Joint Legislative Committee on the Budget for review and approval, and if so approved, the execution of the contract shall resolve any and all claims and disputes between the parties arising out of the award of the public bid."

On motion of Senator Hines, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 30—

BY REPRESENTATIVES JACK SMITH, BARROW, BAUDOUIN, BAYLOR, DOVE, GLOVER, JEFFERSON, LAMBERT, MCDONALD, RITCHIE, ALEXANDER, BALDONE, BRUCE, BURRELL, R. CARTER, CAZAYOUX, CRANE, CRAVINS, DAMICO, DANIEL, DARTEZ, DOERGE, DORSEY, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FRITH, GREENE, E. GUILLORY, M. GUILLORY, HEBERT, HILL, HONEY, HUTTER, JACKSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LAFLEUR, LAFONTA, MCVEA, MONTGOMERY, ODINET, PIERRE, PITRE, M. POWELL, T. POWELL, RICHMOND, ROMERO, SALTER, SCALISE, SHEPHERD, SMILEY, GARY SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, AND WRIGHT

AN ACT

To amend and reenact R.S. 33:1981(C)(1) and 2201(C)(1), relative to financial security of survivors of firemen and law enforcement officers; to provide for payments to surviving spouses; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 474—

BY REPRESENTATIVE JACKSON

AN ACT

To enact Subpart Z of Part I of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:120.81, relative to state individual income tax checkoffs; to provide for a method for individuals to donate a portion of any refund due to the Community-based Primary Health Care Initiative Fund; to provide for collection and disbursement of the donation by the Department of Revenue; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 531—

BY REPRESENTATIVE THOMPSON AND SENATORS ELLINGTON AND SMITH

AN ACT

To amend and reenact R.S. 51:955.4(F) and to enact R.S. 51:955.5, relative to broadband technology; to create the Broadband

Infrastructure and Information Technology Fund; to provide for the deposit of certain monies in the fund; to provide for the use of monies in the fund; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 663—

BY REPRESENTATIVES GLOVER, BAYLOR, BOWLER, BRUCE, BURRELL, AND JACK SMITH

AN ACT

To enact R.S. 15:572.8, relative to the wrongful conviction and imprisonment; to create an application process for compensation for wrongful conviction and imprisonment; to provide for compensation; to create the Innocence Compensation Fund as a special fund in the state treasury; to provide for the deposit, use, and investment of monies in the fund; to provide for the funding of annuity contracts in certain circumstances; to provide procedures for filing an application; to provide for the period of time in which the application shall be filed; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 797—

BY REPRESENTATIVES BEARD AND FAUCHEUX

AN ACT

To enact Subpart C of Part X of Chapter 26 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3398.10 through 3398.14; to provide for the establishment of one or more film institutes; to provide for the powers, duties, functions, and governance of the institutes; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 824—

BY REPRESENTATIVES ALARIO AND TRICHE

AN ACT

To provide for the establishment and reestablishment of agency ancillary funds, to be specifically known as internal service funds, auxiliary accounts, or enterprise funds for certain state institutions, officials, and agencies; to provide for appropriation of funds; and to regulate the administration of said funds.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 836—

BY REPRESENTATIVES ALARIO, CAZAYOUX, DEWITT, GALLOT, LAFLEUR, SALTER, TOWNSEND, AND TRICHE AND SENATORS CHAISSON, HINES, LENTINI, AND MARIONNEAUX

AN ACT

To appropriate funds to defray the expenses of the Louisiana Judiciary, including the Supreme Court, Courts of Appeal, District Courts, Criminal District Court of Orleans Parish, and other courts; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 841—

BY REPRESENTATIVES ALARIO AND TRICHE

AN ACT

To provide with respect to the Revenue Sharing Fund and the allocation and distribution thereof for Fiscal Year 2005-2006; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Reengrossed House Bill No. 841 by Representative Alario

AMENDMENT NO. 1

On page 15, line 6, change "61.32%" to "61.60%"

AMENDMENT NO. 2

On page 15, line 9, change "2.13%" to "2.06%"

AMENDMENT NO. 3

On page 15, line 10, change "3.53%" to "2.82%"

AMENDMENT NO. 4

On page 15, between lines 16 and 17, insert the following:
"Bayou Blue Fire District - 0.42%"

AMENDMENT NO. 5

On page 15, line 26, change "3.11%" to "3.04%"

On motion of Senator Hines, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 858—

BY REPRESENTATIVES SALTER, DORSEY, LANCASTER, ARNOLD, AND ALARIO AND SENATORS HINES, BAJOE, JONES, AND HEITMEIER

AN ACT

To appropriate funds for Fiscal Year 2005-2006 to defray the expenses of the Louisiana Legislature, including the expenses of the House of Representatives and the Senate, of legislative service agencies, and of the Louisiana State Law Institute; and otherwise to provide with respect to the appropriations and allocations herein made.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed House Bill No. 858 by Representative Salter

AMENDMENT NO. 1

On page 6, line 14, after "Fiscal Year." delete the remainder of the line

AMENDMENT NO. 2

On page 6, delete line 15 and at the beginning of line 16, delete "general fund."

AMENDMENT NO. 3

On page 6, between lines 24 and 25, insert the following:
"C. Any portion of the funds herein allocated to the Legislative Fiscal Office, any portion of the funds previously appropriated or interest earnings on such appropriations and any self-generated revenues that are not required for the expenses of the 2005 Regular Session of the Legislature, including printing and all expenses in connection therewith, are hereby appropriated and may be used to pay expenses of the Legislative Fiscal Office during the 2005-2006 Fiscal Year; however, all funds remaining unexpended and/or unencumbered shall be returnable to the state general fund on or before October 1, 2006."

On motion of Senator Hines, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

Rules Suspended

Senator Marionneaux asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**Senate Resolutions
to be Adopted, Subject to Call**

The following Senate Resolutions to be adopted, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Marionneaux asked that Senate Resolution No. 145 be called from the Calendar at this time.

SENATE RESOLUTION NO. 145—

BY SENATORS MARIONNEAUX, ADLEY, AMEDEE, BAJOE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of Linda J. Villar upon her death during a terrorist rocket attack on an American forward operating base.

On motion of Senator Marionneaux, the resolution was read by title and adopted.

Regular Order of the Day Resumed

**House Bills and Joint Resolutions
on Second Reading
Reported by Committees**

Senator Marionneaux asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just reported by Committees.

HOUSE BILL NO. 623—

BY REPRESENTATIVE LAFLEUR

AN ACT

To amend and reenact R.S. 27:353(4), relative to the revenues under the Pari-mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to define eligible facility to include facilities temporarily not racing because of safety issues in order to preserve the revenues to be distributed which revenues are derived from the conduct of slot machine gaming in St. Landry Parish; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 822—

BY REPRESENTATIVES SHEPHERD AND ALARIO

AN ACT

To amend and reenact R.S. 27:93(A)(4), relative to the allocation of riverboat boarding fees; to provide for the allocation of riverboat boarding fees in Jefferson Parish; to provide for an effective date; and to provide for related matters.

Reported without action by the Committee on Judiciary B. The bill was read by title.

Motion

Senator Marionneaux moved that the bill be referred to the Legislative Bureau.

Senator Hollis moved as a substitute motion that the bill be indefinitely postponed.

Senator Marionneaux objected.

ROLL CALL

The roll was called on the substitute motion with the following result:

YEAS

Adley	Hollis	Romero
Barham	Kostelka	Schedler
Cheek	Lentini	Smith
Dardenne	Michot	Theunissen
Ellington	Mount	Ullo
Gautreaux B	Nevers	
Total - 17		

NAYS

Mr. President	Chaisson	Jones
Amedee	Cravins	Malone
Bajoie	Dupre	Marionneaux
Boasso	Fields	McPherson
Cain	Fontenot	Shepherd
Total - 15		

ABSENT

Broome	Gautreaux N	Jackson
Duplessis	Heitmeier	Murray
Total - 6		

The Chair declared House Bill No. 822 was indefinitely postponed.

Senator Hollis move to reconsider the vote by which the bill was indefinitely postponed and laid the motion on the table.

Reconsideration

On motion of Senator Chaisson, pursuant to the previous notice given, the vote by which the following bill failed to pass on Friday, June 17, 2005, was reconsidered.

HOUSE BILL NO. 114—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 14:90(B) and 90.3(F) and R.S. 27:3(14), (16), and (18), 27.1(C)(introductory paragraph), 29.2(B) and (D), 29.3(A) and (D), and 29.4(D) and to enact R.S. 14:90(F), Chapter 9 of Title 27 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 27:501 through 536, and Chapter 42 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9601, relative to domestic cruiseship gaming; to enact the Domestic Cruiseship Gaming Control Act; to provide for applicability; to provide for definitions; to declare public policy; to provide for procedures for licensing of gaming on a domestic cruiseship; to provide suitability criteria and conditions for licensing; to provide criteria for domestic cruiseships; to provide conditions with respect to licensing; to provide for the powers and duties of the Louisiana Gaming Control Board; to provide for the powers and duties of the gaming division, office of state police; to provide limitations on the designated gaming area; to prohibit certain relationships; to provide for certain crimes; to provide for penalties; to provide for appeals; to provide for assistance for compulsive or problem gambling; to provide that the provisions of law regarding the uniform and compulsive problem gambling program and permits for nongaming suppliers, key and non-key gaming employees apply to licensees for domestic cruiseship gaming; to create a special taxing district and to provide for its purpose, governance powers, duties, and functions; and to provide for related matters.

On motion of Senator Chaisson, the bill was read by title and returned to the Calendar, subject to call.

Reconsideration

On motion of Senator Hines, pursuant to the previous notice given, the vote by which the following bill failed to pass on Friday, June 17, 2005, was reconsidered.

HOUSE BILL NO. 252—

BY REPRESENTATIVE ARNOLD

AN ACT

To amend and reenact R.S. 42:5(D) and to repeal R.S. 42:5.1, relative to open meetings; to provide for public comment at meetings of school boards; to remove specific provisions applying to meetings of school boards; to apply general provisions regarding public comment at meetings of public bodies to school boards; and to provide for related matters.

On motion of Senator Hines, the bill was read by title and returned to the Calendar, subject to call.

Reconsideration

On motion of Senator Chaisson, pursuant to the previous notice given, the vote by which the following bill failed to pass on Friday, June 17, 2005, was reconsidered.

HOUSE BILL NO. 371—

BY REPRESENTATIVE WOOTON

AN ACT

To amend and reenact R.S. 27:302(A)(5)(o), 306(A)(4)(c)(iv), and 311.1(B)(3) and to repeal R.S. 27:306(A)(4)(c)(ii)(dd), relative to the Video Draw Poker Devices Control Law; to remove requirements that qualified truck stop facility fuels sales comply with provisions providing for unfair sales and practices and the consumer protection law for the purposes of meeting fuel facility criteria for a qualified truck stop licensed to operate video draw poker devices; to repeal the requirement that a restaurant at a qualified truck stop offer a varied menu; to provide for an exception to the requirement that video draw poker devices be connected to a central computer system if that system is not operational; to provide that designated representatives are only required for certain licensed establishments; and to provide for related matters.

On motion of Senator Chaisson, the bill was read by title and returned to the Calendar, subject to call.

Reconsideration

On motion of Senator Malone, pursuant to the previous notice given, the vote by which the following bill failed to pass on Friday, June 17, 2005, was reconsidered.

HOUSE BILL NO. 415—

BY REPRESENTATIVES M. POWELL, BRUNEAU, LANCASTER, AND WADDELL

AN ACT

To amend and reenact R.S. 18:402(F)(5), relative to election dates; to eliminate the January election date for bond, tax, and other proposition elections; and to provide for related matters.

The bill was read by title. Senator Malone moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Amedee	Dardenne	Malone
Bajoie	Dupre	Marionneaux
Barham	Fontenot	McPherson
Cain	Gautreaux B	Michot
Chaisson	Hollis	Shepherd

Cheek
Cravins
Total - 21

Jackson
Kostelka

Smith
Ullo

NAYS

Adley
Boasso
Ellington
Fields
Total - 10

Jones
Lentini
Mount
Nevers

Romero
Theunissen

ABSENT

Mr. President
Broome
Duplessis
Total - 7

Gautreaux N
Heitmeier
Murray

Schedler

The Chair declared the bill was passed. The title was read and adopted. Senator Malone moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Personal Privilege

Senator Boasso asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on House Bill No. 415. He voted nay on the bill and had intended to vote yea. He asked that the Official Journal so state.

Rules Suspended

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of taking up at this time.

House Bills and Joint Resolutions on Third Reading and Final Passage

The following House Bills and Joint Resolutions on Third Reading and Final Passage were taken up and acted upon as follows:

HOUSE BILL NO. 574—

BY REPRESENTATIVE BARROW

AN ACT

To amend and reenact R.S. 22:11.1(A)(3), (5), and (8) and (B)(1) and (2) and to enact R.S. 22:11.1(D) and (E), relative to health insurance; to provide for definitions; to provide relative to credentialing and recredentialing of health care providers by health insurance issuers; and to provide for related matters.

The bill was read by title. Senator Cheek moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Amedee
Bajoie
Barham
Boasso
Cain
Chaisson
Cheek
Cravins
Dardenne
Duplessis
Dupre
Total - 37

Ellington
Fields
Fontenot
Gautreaux B
Gautreaux N
Heitmeier
Hollis
Jackson
Jones
Kostelka
Lentini
Malone
Marionneaux

McPherson
Michot
Mount
Murray
Nevers
Romero
Schedler
Shepherd
Smith
Theunissen
Ullo

NAYS

Total - 0

ABSENT

Broome
Total - 1

The Chair declared the bill was passed. The title was read and adopted. Senator Cheek moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 639—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 33:4574.1(b) and R.S. 47:301(6)(b) and (14)(b)(iv), relative to sales and use taxes; to provide relative to the definition of hotel and places of amusement; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Lentini moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Amedee
Bajoie
Boasso
Broome
Cain
Chaisson
Cheek
Cravins
Dardenne
Dupre
Total - 34

Ellington
Fields
Fontenot
Gautreaux B
Gautreaux N
Heitmeier
Hollis
Jackson
Kostelka
Lentini
Malone
Marionneaux

McPherson
Michot
Mount
Murray
Nevers
Romero
Schedler
Smith
Theunissen
Ullo

NAYS

Total - 0

ABSENT

Barham
Duplessis
Total - 4

Jones
Shepherd

The Chair declared the bill was passed. The title was read and adopted. Senator Lentini moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 644—

BY REPRESENTATIVE BARROW

AN ACT

To repeal Children's Code Article 616(E), relative to child abuse; to repeal certain provisions relative to the disposition of reports and investigations of child abuse.

The bill was read by title. Senator Broome moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Amedee
Bajoie
Barham

Duplessis
Dupre
Ellington
Fields
Fontenot

Malone
Marionneaux
McPherson
Michot
Mount

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Boasso	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Heitmeier	Romero
Chaisson	Hollis	Schedler
Cheek	Jackson	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Jones	Shepherd
Total - 2	

The Chair declared the bill was passed. The title was read and adopted. Senator Broome moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 655— BY REPRESENTATIVE MONTGOMERY AN ACT

To amend and reenact R.S. 51:1787(B)(6), relative to sales tax rebates for construction in an enterprise zone; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Malone sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Malone to Engrossed House Bill No. 655 by Representative Montgomery

AMENDMENT NO. 1

On page 2, between lines 3 and 4, insert the following:
"(d) The provisions of this Section shall be applicable to all contracts entered into under the provisions of Subsection A after January 1, 2002."

On motion of Senator Malone, the amendments were adopted.

The bill was read by title. Senator Malone moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Kostelka	Ullo
Dardenne	Lentini	
Duplessis	Malone	
Total - 37		

NAYS

Total - 0

ABSENT

Shepherd
Total - 1

The Chair declared the amended bill was passed. The title was read and adopted. Senator Malone moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Senator Ellington in the Chair

HOUSE BILL NO. 675— BY REPRESENTATIVE BEARD AN ACT

To amend and reenact R.S. 40:1299.58.2(14) and (15) and 1299.58.3(C)(1) and (3) and to enact R.S. 40:1299.58.2(16), relative to living wills; to define spouse; to provide for the illustrative form; and to provide for related matters.

Floor Amendments Sent Up

Senator Schedler sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Schedler to Reengrossed House Bill No. 675 by Representative Beard

AMENDMENT NO. 1

On page 1, line 3, after "R.S. 40:1299.58.2(16)" insert "and 1299.58.10(E)" and after "wills;" insert "to affirm the dignity of human life;"

AMENDMENT NO. 2

On page 1, line 7, after "R.S. 40:1299.58.2(16) delete "is" and insert "and 1299.58.10(E) are"

AMENDMENT NO. 3

On page 1, line 13, after "patient" delete ", who is"

AMENDMENT NO. 4

On page 1, delete line 14 and insert "is cohabited with another person in the manner of married persons or who has been convicted of any crime of violence"

AMENDMENT NO. 5

On page 1, line 15, change "R.S. 14:213" to "R.S. 14:2(13)"

AMENDMENT NO. 6

On page 3, below line 26, insert the following:

"§1299.58.10. General application
A. * * * * *
E. It is the policy of the state of Louisiana that human life is of the highest and inestimable value through natural death. When interpreting this Part, any ambiguity shall be interpreted to preserve human life."

On motion of Senator Schedler, the amendments were adopted.

The bill was read by title. Senator Schedler moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Kostelka	Ullo

Dardenne
Duplessis
Total - 37

Lentini
Malone

NAYS

Total - 0

ABSENT

Shepherd
Total - 1

The Chair declared the amended bill was passed. The title was read and adopted. Senator Schedler moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 689—

BY REPRESENTATIVE WALSWORTH
AN ACT

To amend and reenact R.S. 22:1244(A)(3) and to enact R.S. 22:1244(C), relative insurance fraud; to provide for automobile insurance fraud; to provide for restitution; to provide for civil right of action; and to provide for related matters.

The bill was read by title. Senator Kostelka moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Kostelka	Ullo
Dardenne	Lentini	
Duplessis	Malone	
Total - 37		

NAYS

Total - 0

ABSENT

Shepherd
Total - 1

The Chair declared the bill was passed. The title was read and adopted. Senator Kostelka moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 692—

BY REPRESENTATIVE WOOTON
AN ACT

To enact Code of Criminal Procedure Article 336.2, relative to operating a vehicle while intoxicated; to require an ignition interlock device as a condition of release on bail for certain persons arrested for certain alcohol-related driving offenses; to provide for procedures; to provide for waiver of this requirement by courts in certain circumstances; and to provide for related matters.

The bill was read by title. Senator Chaisson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	McPherson
Adley	Fields	Michot
Amedee	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Dupre	Marionneaux	
Total - 37		

NAYS

Total - 0

ABSENT

Bajoie
Total - 1

The Chair declared the bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 711—

BY REPRESENTATIVE MORRELL
AN ACT

To enact R.S. 40:2533(C), relative to personnel files of law enforcement officers; to require certain complaints involving domestic abuse made against an officer to be expunged from his file; to define applicable ordinances and statutes for which expungement is available; and to provide for related matters.

The bill was read by title. Senator Murray moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Malone
Adley	Dupre	Marionneaux
Amedee	Ellington	McPherson
Bajoie	Fields	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Heitmeier	Romero
Chaisson	Hollis	Schedler
Cheek	Jackson	Smith
Cravins	Jones	Theunissen
Dardenne	Lentini	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Kostelka
Total - 2

Shepherd

The Chair declared the bill was passed. The title was read and adopted. Senator Murray moved to reconsider the vote by which the bill was passed and laid the motion on the table.

June 19, 2005

HOUSE BILL NO. 835—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 47:633(7)(c)(iv)(introductory paragraph) and (aa), relative to the severance tax; to exempt from the severance tax certain production on wells which have been inactive; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator N. Gautreaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator N. Gautreaux to Reengrossed House Bill No. 835 by Representative Daniel

AMENDMENT NO. 1

On page 1, line 3, delete "which" and on line 4, delete "have been inactive"

AMENDMENT NO. 2

On page 2, delete lines 12 and 13

AMENDMENT NO. 3

On page 2, line 14, change "Section 3." to "Section 2."

On motion of Senator N. Gautreaux, the amendments were adopted.

The bill was read by title. Senator Adley moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Total - 38		

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the amended bill was passed. The title was read and adopted. Senator Adley moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 882— (Substitute for House Bill No. 566 by Representative R. Carter)

BY REPRESENTATIVE R. CARTER

AN ACT

To enact R.S. 22:2004.3, relative to health maintenance organizations; to provide with respect to coverage of certain services legally performed by chiropractors; to provide relative

to discriminatory terminology; and to provide for related matters.

The bill was read by title. Senator Broome moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Total - 38		

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the bill was passed. The title was read and adopted. Senator Broome moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 154—

BY REPRESENTATIVE PITRE

AN ACT

To amend and reenact R.S. 33:4833, 4834, and 4835, relative to municipal ordinances; to prohibit certain municipalities from enacting ordinances forbidding fishermen or their employees from peddling in public places; to provide for regulations; and to provide for related matters.

The bill was read by title. Senator Dupre moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Ellington	Michot
Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Romero
Broome	Heitmeier	Schedler
Cain	Hollis	Shepherd
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Kostelka	Ullo
Dardenne	Malone	
Duplessis	Marionneaux	
Total - 37		

NAYS

Total - 0

ABSENT

June 19, 2005

Lentini
Total - 1

The Chair declared the bill was passed. The title was read and adopted. Senator Dupre moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 160—

BY REPRESENTATIVE HONEY

AN ACT

To enact R.S. 33:9038, relative to tax increment financing; to prohibit the use of tax increment financing that involves a public school system without prior approval of the system; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Fields moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Total - 38		

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the bill was passed. The title was read and adopted. Senator Fields moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 285—

BY REPRESENTATIVE CRAVINS

AN ACT

To amend and reenact R.S. 32:171(F)(1) and (2) and 175(C) and to enact R.S. 32:175(D) and R.S. 48:393, relative to penalties for failing to stop at certain railroad grade crossings; to increase the fines for certain railroad grade crossing violations; to provide relative to penalties for certain violations; to require the suspension of driving privileges under certain circumstances; to provide relative to the disposition of a certain portion of penalties for certain railroad grade crossing violations; to create the Railroad Crossing Safety Fund; to provide relative to the administration and use of monies deposited into such fund; and to provide for related matters.

Floor Amendments Sent Up

Senator Cravins sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cravins to Reengrossed House Bill No. 285 by Representative Cravins

AMENDMENT NO.1

On page 1, line 18, after "more" insert "than one hundred seventy-five" and on line 19, delete "than two hundred fifty"

AMENDMENT NO. 2

On page 3, line 1, change "two hundred fifty" to "one hundred seventy-five"

Senator Cravins moved adoption of the amendments.

Senator Boasso objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Mount
Adley	Fontenot	Murray
Amedee	Gautreaux B	Nevers
Cain	Gautreaux N	Schedler
Chaisson	Heitmeier	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Malone	Ullo
Duplessis	McPherson	
Dupre	Michot	
Total - 28		

NAYS

Bajoie	Broome	Jackson
Barham	Ellington	Lentini
Boasso	Hollis	Romero
Total - 9		

ABSENT

Marionneaux
Total - 1

The Chair declared the amendments were adopted.

The bill was read by title. Senator Cravins moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Total - 38		

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the amended bill was passed. The title was read and adopted. Senator Cravins moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 310—

BY REPRESENTATIVE LAFLEUR

AN ACT

To amend and reenact R.S. 33:4562.3(C), relative to the Evangeline-Ville Platte Recreation District; to provide with respect to the composition and method of appointment of members of the board of commissioners of the district; and to provide for related matters.

The bill was read by title. Senator Hines moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	McPherson
Adley	Fields	Michot
Amedee	Fontenot	Mount
Bajoie	Gautreaux B	Murray
Barham	Gautreaux N	Nevers
Boasso	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Dupre	Marionneaux	
Total - 37		

NAYS

Total - 0

ABSENT

Broome
Total - 1

The Chair declared the bill was passed. The title was read and adopted. Senator Hines moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 327—

BY REPRESENTATIVES QUEZAIRE, DOVE, DOWNS, FANNIN, M. GUILLORY, KATZ, LAMBERT, PITRE, M. POWELL, SMILEY, ST. GERMAIN, TUCKER, AND SCALISE AND SENATOR KOSTELKA

AN ACT

To amend and reenact R.S. 47:463.4(D), 466(C), and 473(J), to enact Part II-A of Chapter 4 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:490.1 through 490.18, and to repeal R.S. 47:463.2.1, 463.7, 463.10, 463.11, 463.13, 463.15, 463.16, 463.18, 463.20, 463.25, 463.26, 463.27, 463.29, 463.34, 463.38, 463.42, 463.55, and 463.65, relative to motor vehicle license plates; to provide relative to the creation and issuance of military honor license plates for veterans and military personnel; to repeal provisions establishing and creating certain special prestige license plates for veterans and military personnel; and to provide for related matters.

The bill was read by title. Senator Kostelka moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount

Barham
Boasso
Broome
Cain
Chaisson
Cheek
Cravins
Dardenne
Duplessis
Total - 38

Gautreaux B
Gautreaux N
Heitmeier
Hollis
Jackson
Jones
Kostelka
Lentini
Malone

Murray
Nevers
Romero
Schedler
Shepherd
Smith
Theunissen
Ullo

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the bill was passed. The title was read and adopted. Senator Kostelka moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 401—

BY REPRESENTATIVE TUCKER

AN ACT

To amend and reenact R.S. 33:2711.3 and 2711.7(C), relative to certain taxes in the city of New Orleans and in certain parishes; to delete the exemption of certain rooms from the hotel occupancy tax in New Orleans and in certain parishes; to define certain terms; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Ellington	Michot
Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Romero
Broome	Heitmeier	Schedler
Cain	Hollis	Shepherd
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Kostelka	Ullo
Dardenne	Malone	
Duplessis	Marionneaux	
Total - 37		

NAYS

Lentini
Total - 1

ABSENT

Total - 0

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Mr. President in the Chair

HOUSE BILL NO. 429—

BY REPRESENTATIVES HONEY, BADON, BURRELL, K. CARTER, CRANE, CURTIS, DEWITT, FAUCHEUX, GRAY, JEFFERSON, MCDONALD, ODINET, AND M. POWELL

AN ACT

To amend and reenact R.S. 17:54(B)(1) and (C), relative to local public school superintendents; to provide relative to

qualifications; to provide for the initial employment of a superintendent of schools by a city, parish, or other local public school board and for the employment of the superintendent for a subsequent term; to provide relative to written employment contracts for such purposes, including guidelines for the content of such contracts; to provide relative to superintendents who choose not to enter into subsequent contracts; to provide relative to termination of employment, including specifying grounds for such removal during the term of a contract, time lines, and guidelines for the giving of notice of termination, and the use of certain due process procedures; to provide for the negotiation and offering by a school board of a new contract at the expiration of an existing contract; to provide for exceptions; to provide for applicability; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Broome sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Broome to Reengrossed House Bill No. 429 by Representative Honey

AMENDMENT NO.1

On page 2, delete line 27 and insert "the superintendent is found incompetent, dishonest, or willfully neglectful of his duties, or is found to have"

On motion of Senator Broome, the amendments were adopted.

The bill was read by title. Senator Broome moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Heitmeier	Schedler
Chaisson	Hollis	Shepherd
Cheek	Jackson	Theunissen
Cravins	Jones	Ullo
Dardenne	Malone	
Duplessis	Marionneaux	
Total - 31		

NAYS

Adley	Kostelka	Romero
Barham	Lentini	Smith
Total - 6		

ABSENT

Ellington
Total - 1

The Chair declared the amended bill was passed. The title was read and adopted. Senator Broome moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 440—

BY REPRESENTATIVE FAUCHEUX AND SENATOR MCPHERSON
AN ACT

To amend and reenact R.S. 37:3390.3(A)(introductory paragraph) and to enact R.S. 37:3390.6(F), relative to the Addictive Disorders Practice Act; to provide for the imposition and collection of fees; and to provide for related matters.

The bill was read by title. Senator McPherson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Total - 38		

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the bill was passed. The title was read and adopted. Senator McPherson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 458—

BY REPRESENTATIVES DOWNS AND MCDONALD
AN ACT

To amend and reenact R.S. 17:416(B)(1)(b), relative to the suspension and expulsion of certain public school students found carrying or possessing a knife; to require a school principal to take certain disciplinary action under specified circumstances; to provide exceptions; and to provide for related matters.

The bill was read by title. Senator Barham moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Lentini
Adley	Dupre	Malone
Amedee	Ellington	Marionneaux
Bajoie	Fields	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Heitmeier	Romero
Chaisson	Hollis	Shepherd
Cheek	Jackson	Smith
Cravins	Jones	Theunissen
Dardenne	Kostelka	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

McPherson	Schedler
Total - 2	

The Chair declared the bill was passed. The title was read and adopted. Senator Barham moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 481—

BY REPRESENTATIVE ARNOLD

AN ACT

To amend and reenact R.S. 47:1925.1, 1925.2(A)(1), and 1925.3(A), to enact R.S. 47:1925.8, and to repeal R.S. 47:1925.2(A)(3), relative to the Board of Assessors for Orleans Parish; to provide for the financing of the Board of Assessors for Orleans Parish; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Heitmeier sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Engrossed House Bill No. 481 by Representative Arnold

AMENDMENT NO.1

On page 3, line 19, after "percent of the" delete "municipal"

On motion of Senator Heitmeier, the amendments were adopted.

The bill was read by title. Senator Heitmeier moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Heitmeier	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Shepherd
Cravins	Kostelka	Smith
Dardenne	Lentini	Theunissen
Duplessis	Malone	Ullo
Total - 36		

NAYS

Boasso	Hollis
Total - 2	

ABSENT

Total - 0

The Chair declared the amended bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 542—

BY REPRESENTATIVES JOHNS, GEYMAN, E. GUILLORY, KLECKLEY, AND MORRISH AND SENATORS MOUNT AND THEUNISSEN

AN ACT

To amend and reenact R.S. 33:4574.1.1(A)(25) and 4574.11(B)(1), (C), and (E)(2) and to enact R.S. 33:4574.1.1(O), relative to the Southwest Louisiana Convention and Visitors Bureau; to authorize the governing authority of the bureau to increase the hotel occupancy tax; to provide relative to the use of certain proceeds resulting from the increase in the rate of the tax; to provide with respect to the tax on complimentary hotel rooms; to further provide with respect to the governing authority of the bureau and its membership; and to provide for related matters.

The bill was read by title. Senator Mount moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Shepherd
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Kostelka	Ullo
Dardenne	Lentini	
Duplessis	Malone	
Total - 37		

NAYS

Total - 0

ABSENT

Schedler
Total - 1

The Chair declared the bill was passed. The title was read and adopted. Senator Mount moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 563—

BY REPRESENTATIVE GRAY

AN ACT

To enact R.S. 33:2013, relative to the city of New Orleans; to require the fire department of such city to adopt a written policy establishing a maximum age requirement for any person hired as a fire suppression employee of the department; to provide exceptions; to provide for such maximum age requirement; and to provide for related matters.

Floor Amendments Sent Up

Senator Shepherd sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Shepherd to Engrossed House Bill No. 563 by Representative Gray

AMENDMENT NO.1

On page 1, line 17, after "person" insert "except if such person passes a physical examination certifying he is physically fit for such job."

Senator Shepherd moved adoption of the amendments.

Senator Duplessis objected.

ROLL CALL

The roll was called with the following result:

YEAS

Cravins	Gautreaux N	Lentini
Dupre	Heitmeier	Romero
Ellington	Hollis	Shepherd
Fields	Jackson	
Gautreaux B	Jones	

Total - 13

NAYS

Amedee	Cheek	Michot
Bajoie	Dardenne	Mount
Barham	Duplessis	Murray
Boasso	Fontenot	Schedler
Broome	Kostelka	Smith
Cain	Malone	Theunissen
Chaisson	McPherson	Ullo
Total - 21		

ABSENT

Mr. President	Marionneaux
Adley	Nevers

Total - 4

The Chair declared the amendments were rejected.

The bill was read by title. Senator Duplessis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Total - 38		

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the bill was passed. The title was read and adopted. Senator Duplessis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 631—

BY REPRESENTATIVES K. CARTER, HEATON, AND RICHMOND
AN ACT

To enact R.S. 47:6020, relative to tax credits; to authorize a sound recording investor tax credit against individual and corporation income taxes; to provide for certain procedures and collection; and to provide for related matters.

Floor Amendments Sent Up

Senator Bajoie sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bajoie to Engrossed House Bill No. 631 by Representative K. Carter

AMENDMENT NO.1

Delete Senate Committee Amendment No. 1 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2005.

On motion of Senator Bajoie, the amendments were adopted.

The bill was read by title. Senator Michot moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Kostelka	Ullo
Dardenne	Lentini	
Duplessis	Malone	
Total - 37		

NAYS

Total - 0

ABSENT

Shepherd
Total - 1

The Chair declared the amended bill was passed. The title was read and adopted. Senator Michot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 636—

BY REPRESENTATIVE DANIEL
AN ACT

To enact R.S. 33:225, relative to East Baton Rouge Parish; to provide relative to incorporated areas of the parish; to provide relative to the maintenance of roads, drainage, and utilities within such areas; and to provide for related matters.

The bill was read by title. Senator Fields moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Total - 38		

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the bill was passed. The title was read and adopted. Senator Fields moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 665—

BY REPRESENTATIVE TUCKER

AN ACT

To amend and reenact R.S. 33:2740.27(I) and (J)(1) and to enact R.S. 33:2740.27(A)(3), (H)(4), and (N), relative to the parish of Orleans; to provide with respect to the Algiers Development District; to designate the district as a local redevelopment authority for federal military base realignment purposes; to provide relative to the powers and authority of the district, including ad valorem tax authority and the authority to incur debt and issue bonds; to authorize and provide for combining the design and construction phases of any project and to utilize the request for proposals process in such endeavors; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Ellington	Michot
Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Romero
Broome	Heitmeier	Schedler
Cain	Hollis	Shepherd
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	
Duplessis	Marionneaux	
Total - 37		

NAYS

Total - 0

ABSENT

Kostelka
Total - 1

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 742—

BY REPRESENTATIVES K. CARTER, GRAY, JEFFERSON, ARNOLD, BADON, BURNS, HEATON, HUTTER, MARCHAND, RICHMOND, SCALISE, SHEPHERD, AND WINSTON AND SENATOR DUPLESSIS

AN ACT

To enact Chapter 27-C of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9039.51 through 9039.66, and to repeal R.S. 36:109(M) and Part III of Chapter 6 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:811 through 813.1, relative to the Greater New Orleans Biosciences Economic Development District; to facilitate public and private research functions in the district; to create and provide for such district and its board of commissioners and their powers, duties, functions, and responsibilities; to repeal provisions providing for the Louisiana Biomedical Research and Development Park Commission; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 744—

BY REPRESENTATIVE CROWE

AN ACT

To enact R.S. 40:1662.19, relative to motor vehicles; to restrict the duplication of keys based on vehicle identification numbers; and to provide for related matters.

The bill was read by title. Senator Schedler moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Total - 38		

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the bill was passed. The title was read and adopted. Senator Schedler moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 746—

BY REPRESENTATIVE CURTIS AND SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 33:9038.1(3) and to enact R.S. 33:9038.11; to provide with respect to tax increment financing in parishes having a population of not more than one hundred thirty thousand persons and not less than one hundred twenty thousand persons according to the most recent decennial federal census; to limit the purposes for which such tax increment financing may be used; and to provide for related matters.

The bill was read by title. Senator McPherson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Malone
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Heitmeier	Romero
Chaisson	Hollis	Schedler
Cheek	Jackson	Shepherd
Cravins	Jones	Smith
Dardenne	Kostelka	Theunissen
Duplessis	Lentini	
Total - 35		

June 19, 2005

NAYS

Total - 0

ABSENT

Barham Marionneaux Ullo
Total - 3

The Chair declared the bill was passed. The title was read and adopted. Senator McPherson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 747—

BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 47:301(13)(d) and (18)(d)(ii) and (iii), to define "sales price" for refinery gas sold to another person; and to provide for related matters.

The bill was read by title. Senator Adley moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Malone
Adley	Dupre	Marionneaux
Amedee	Ellington	McPherson
Bajoie	Fields	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Heitmeier Shepherd
Total - 2

The Chair declared the bill was passed. The title was read and adopted. Senator Adley moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 778—

BY REPRESENTATIVE HEATON
AN ACT

To enact R.S. 2:135.1(A)(4), relative to the lease of certain airport facilities; to exempt certain leases from the provisions on leases of public lands; to require the governing authority of certain airports to meet certain requirements; and to provide for related matters.

The bill was read by title. Senator Murray moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Mount

Bajoie	Gautreaux B	Murray
Broome	Hollis	Romero
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Kostelka	
Duplessis	Lentini	
Total - 25		

NAYS

Barham	Fontenot	Nevers
Boasso	Gautreaux N	Ullo
Cain	Malone	
Total - 8		

ABSENT

Dardenne	Michot	Shepherd
Heitmeier	Schedler	
Total - 5		

The Chair declared the bill was passed. The title was read and adopted. Senator Murray moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Personal Privilege

Senator Amedee asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on House Bill No. 778. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

HOUSE BILL NO. 786—

BY REPRESENTATIVE SALTER
AN ACT

To enact Chapter 51 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:3075 through 3088, relative to the Louisiana Community Development Financial Institution Act; to provide for a credit against income and franchise taxation; to provide for certification and decertification of a Louisiana Community Development Financial Institution; to provide for an effective date; and to provide for related matters.

On motion of Senator Adley, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 796—

BY REPRESENTATIVE MORRELL
AN ACT

To amend and reenact Section 4 of Act No. 721 of the 2004 Regular Session of the Legislature of Louisiana; to provide relative to the effectiveness of such Act; and to provide for related matters.

On motion of Senator Jones, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 826—

BY REPRESENTATIVE ERDEY
AN ACT

To enact R.S. 33:2740.62, relative to Livingston Parish; to authorize the governing authority of the parish to levy and collect a documentary transaction tax; to provide for the maximum amount that may be levied; to provide for penalties; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Amedee moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Marionneaux
Adley	Dupre	McPherson
Amedee	Ellington	Michot

Bajoie	Fields	Mount
Boasso	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Heitmeier	Romero
Chaisson	Hollis	Schedler
Cheek	Jackson	Smith
Cravins	Jones	Theunissen
Dardenne	Lentini	Ullo
Total - 33		

NAYS

Total - 0

ABSENT

Barham	Kostelka	Shepherd
Fontenot	Malone	
Total - 5		

The Chair declared the bill was passed. The title was read and adopted. Senator Amedee moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 829—
BY REPRESENTATIVE JACKSON
AN ACT

To enact Chapter 10 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:1451 through 1461, and to repeal R.S. 12:202.1(C), to create and provide for the Capital Area Transit System, which is to operate public transportation in East Baton Rouge Parish; to provide for the governing board of the system and its powers and duties; to provide for participation of other parishes in the public transportation system; to repeal the provisions of law relative to the existing public transportation system in East Baton Rouge Parish and to provide that the new entity is the successor of the existing entity; and to provide for related matters.

The bill was read by title. Senator Fields moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Lentini
Adley	Dupre	Malone
Amedee	Ellington	McPherson
Bajoie	Fields	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Heitmeier	Romero
Chaisson	Hollis	Schedler
Cheek	Jackson	Smith
Cravins	Jones	Theunissen
Dardenne	Kostelka	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Marionneaux	Shepherd
Total - 2	

The Chair declared the bill was passed. The title was read and adopted. Senator Fields moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 862—
BY REPRESENTATIVE BURRELL
AN ACT

To enact Chapter 22 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1801 through 1808; to establish a tax rebate and credit program to promote urban revitalization; to provide for the eligibility for and administration of the tax credits and rebates; to provide for tax and other incentives; to provide with respect to financing; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 867—
BY REPRESENTATIVE LABRUZZO
AN ACT

To amend and reenact R.S. 47:303(A)(3) and 337.86(A), relative to the sales and use tax levied by the state and its political subdivisions; to provide with respect to the credit against the use tax for sales and use taxes paid on vehicles purchased and titled in other states; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 870—
BY REPRESENTATIVE GRAY
AN ACT

To enact Chapter 26-B of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9017.1, relative to the funding of juvenile facilities, programs, and services in the parish of Orleans; to provide for the imposition and collection of taxes and for the use thereof; to create and provide with respect to a special juvenile services financing district, including provisions for the district and its board of commissioners and their powers, duties, functions, and responsibilities; and to provide for related matters.

The bill was read by title. Senator Bajoie moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Lentini
Adley	Dupre	Malone
Amedee	Ellington	McPherson
Bajoie	Fields	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Heitmeier	Romero
Chaisson	Hollis	Schedler
Cheek	Jackson	Smith
Cravins	Jones	Theunissen
Dardenne	Kostelka	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Marionneaux	Shepherd
Total - 2	

The Chair declared the bill was passed. The title was read and adopted. Senator Bajoie moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1—

BY REPRESENTATIVES ALARIO AND TRICHE
AN ACT

Making appropriations for the ordinary expenses of the executive branch of state government, pensions, public schools, public roads, public charities, and state institutions and providing with respect to the expenditure of said appropriations.

On motion of Senator Bajoie, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 3—

BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, AND DORSEY
AND SENATORS HINES, BAJOE, HEITMEIER, AND MOUNT
AN ACT

To enact the Omnibus Bond Authorization Act of 2005, relative to the implementation of a five-year capital improvement program; to provide for the repeal of certain prior bond authorizations; to provide for new bond authorizations; to provide for authorization and sale of such bonds by the State Bond Commission; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and returned to the Calendar, subject to call.

Rules Suspended

Senator McPherson asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**House Bills and Joint Resolutions on
Third Reading and Final Passage,
Subject to Call**

The following House Bills and Joint Resolutions on Third Reading and Final Passage, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator McPherson asked that House Bill No. 369 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 369—

BY REPRESENTATIVES DURAND, SALTER, ALARIO, DORSEY, AND HAMMETT AND SENATORS HINES, BAJOE, HEITMEIER, AND MOUNT

AN ACT

To amend and reenact R.S. 46:153.3(C), relative to the medical assistance program; to remove certain drugs from the exemptions to the preferred drug list with prior approval; and to provide for related matters.

Floor Amendments Sent Up

Senator Schedler sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Schedler to Reengrossed House Bill No. 369 by Representative Durand

AMENDMENT NO. 1

Delete lines 14 through 18 of Amendment No. 5 proposed by the Senate Committee on Health and Welfare and adopted by the Senate on May 31, 2005 and insert the following:

"(4) The department shall not restrict by prior authorization an immunomodulator or hepatitis C-specific antiviral drug prescribed for the treatment of hepatitis C for a Medicaid recipient that has had a prescription for such for such immunomodulator or hepatitis C – specific antiviral drug paid for by Medicaid during the six months prior to the effective date of the class being placed on the Medicaid preferred drug list."

AMENDMENT NO. 2

Delete Amendment No. 1 proposed by the Senate Committee on Health and Welfare and adopted by the Senate on May 31, 2005.

AMENDMENT NO. 3

Delete Amendment No. 2 proposed by the Senate Committee on Health and Welfare and adopted by the Senate on May 31, 2005.

AMENDMENT NO. 4

Delete Amendment No. 6 proposed by the Senate Committee on Health and Welfare and adopted by the Senate on May 31, 2005.

AMENDMENT NO. 5

On page 2, between lines 3 and 4, insert the following:

(5) The department shall include data from the atypical antipsychotic drug class and the immunomodulator and hepatitis C – specific antiviral drug class with the data collected on all drug classes reviewed on the Medicaid preferred drug list for the annual report to the legislature and governor as required by Subparagraph (e) of Paragraph (2) of Subsection (B) of this Section.

* * *

On motion of Senator Schedler, the amendments were adopted.

The bill was read by title. Senator McPherson moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Kostelka	Ullo
Dardenne	Lentini	
Duplessis	Malone	

Total - 37

NAYS

Total - 0

ABSENT

Shepherd
Total - 1

The Chair declared the amended bill was passed. The title was read and adopted. Senator McPherson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Jackson asked that House Bill No. 697 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 697—

BY REPRESENTATIVES M. GUILLORY, SALTER, ALARIO, DORSEY, HAMMETT, AND CURTIS AND SENATORS HINES, BAJOE, MOUNT, AND HEITMEIER

AN ACT

To enact Chapter 11-A of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of Part I, R.S. 37:1021 through 1025 and Part II, R.S. 37:1031 through 1034, relative to direct service workers and medication attendants; to provide for the authority, training, registration, and termination of direct service workers; and to provide for related matters.

Floor Amendments Sent Up

Senator Jackson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jackson to Reengrossed House Bill No. 697 by Representative M. Guillory

AMENDMENT NO.1

Delete Senate Committee Amendment No 5 proposed by the Senate Committee on Health and Welfare and adopted by the Senate on June 9, 2005.

AMENDMENT NO. 2

On page 3, line 1, after "tasks" delete the remainder of the line and delete line 2 and insert "which may be delegated by the registered nurse to the direct service worker pursuant to rules promulgated pursuant to this Part."

On motion of Senator Jackson, the amendments were adopted.

Floor Amendments Sent Up

Senator Jackson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jackson to Reengrossed House Bill No. 697 by Representative M. Guillory

AMENDMENT NO.1

On Senate Committee Amendment No. 1, page 1, delete lines 13-16 and insert:

"(4) Receives a periodic assessment by a registered nurse based on the individual's health status."

On motion of Senator Jackson, the amendments were adopted.

Floor Amendments Sent Up

Senator McPherson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Reengrossed House Bill No. 697 by Representative M. Guillory

AMENDMENT NO.1

On page 3, after line 29 insert the following:

"G.(1) Prior to providing personal care or other services as specified in this Part, a direct service worker shall provide a written disclaimer to the recipient of the care or to the legal guardian of the recipient, in the case of the incompetency of the recipient. The disclaimer shall include the following:

(a) The length and scope of the worker's training, taking into consideration the requirements of this Part and any regulations promulgated in accordance with this Part,

(b) Information regarding how to report care deficiencies, including any applicable telephone numbers,

(c) The signature of both the direct service worker and the recipient or the legal guardian of the recipient where appropriate.

(2) The original of the completed disclaimer shall be maintained in the permanent files of the provider agency employing the direct service worker, one copy shall be given to the recipient, and one copy shall be provided to the direct service worker.

(3) Failure to execute the disclaimer in accordance with this Subsection shall serve as cause to terminate authorization of the direct service worker to provide services."

On motion of Senator McPherson, the amendments were adopted.

The bill was read by title. Senator Jackson moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Malone
Adley	Dupre	Marionneaux
Amedee	Ellington	McPherson
Bajoie	Fields	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Heitmeier	Romero
Chaisson	Hollis	Schedler
Cheek	Jackson	Smith
Cravins	Jones	Theunissen
Dardenne	Kostelka	Ullo
Total - 36		

NAYS

Lentini
Total - 1

ABSENT

Shepherd
Total - 1

The Chair declared the amended bill was passed. The title was read and adopted. Senator Jackson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Heitmeier asked that House Bill No. 252 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 252—

BY REPRESENTATIVE ARNOLD

AN ACT

To amend and reenact R.S. 42:5(D) and to repeal R.S. 42:5.1, relative to open meetings; to provide for public comment at meetings of school boards; to remove specific provisions applying to meetings of school boards; to apply general provisions regarding public comment at meetings of public bodies to school boards; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux N	Murray
Broome	Heitmeier	Nevers
Cain	Hollis	Romero
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Kostelka	Ullo
Dardenne	Lentini	
Duplessis	Malone	
Total - 34		

NAYS

Total - 0

ABSENT

Bajoie Schedler
Gautreaux B Shepherd
Total - 4

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Personal Privilege

Senator Dardenne asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on House Bill No. 252. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

Called from the Calendar

Senator Murray asked that House Bill No. 862 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 862—

BY REPRESENTATIVE BURRELL

AN ACT

To enact Chapter 22 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1801 through 1808; to establish a tax rebate and credit program to promote urban revitalization; to provide for the eligibility for and administration of the tax credits and rebates; to provide for tax and other incentives; to provide with respect to financing; and to provide for related matters.

Floor Amendments Sent Up

Senator Murray sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Murray to Engrossed House Bill No. 862 by Representative Burrell

AMENDMENT NO. 1

On page 3, delete lines 8 and 9

AMENDMENT NO. 2

On page 3, line 10 change "(2)" to "(1)"

AMENDMENT NO. 3

On page 3, delete line 12 and insert
"(2) Give priority to the use in the zone of any applicable funds"

AMENDMENT NO. 4

On page 3, line 14 change "(4)" to "(3)"

AMENDMENT NO. 5

On page 3, line 16 change "(5)" to "(4)"

AMENDMENT NO. 6

On page 3, line 19 change "(6)" to "(5)"

On motion of Senator Murray, the amendments were adopted.

The bill was read by title. Senator Murray moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Duplessis Marionneaux

Adley	Dupre	McPherson
Amedee	Ellington	Michot
Bajoie	Fields	Mount
Barham	Fontenot	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Gautreaux B Kostelka
Total - 2

The Chair declared the amended bill was passed. The title was read and adopted. Senator Murray moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Recess

On motion of Senator Bajoie, the Senate took a recess until 7:00 o'clock P.M.

After Recess

The Senate was called to order at 7:00 o'clock P.M. by the President of the Senate.

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Total - 38		

ABSENT

Total - 0

The President of the Senate announced there were 38 Senators present and a quorum.

Senate Business Resumed**Privilege Report of the
Legislative Bureau**

June 19, 2005

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication. We advise and suggest the following amendments to the engrossed bill.

HOUSE BILL NO. 2—

BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, AND DORSEY
AND SENATORS HINES, BAJOEI, HEITMEIER, AND MOUNT
AN ACT

To provide with respect to the capital outlay budget and the capital outlay program for state government, state institutions, and other public entities; to provide for the designation of projects and improvements; to provide for the financing thereof making appropriations from certain sources; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 30—

BY REPRESENTATIVES JACK SMITH, BARROW, BAUDOUIN, BAYLOR, DOVE, GLOVER, JEFFERSON, LAMBERT, McDONALD, RITCHIE, ALEXANDER, BALDONE, BRUCE, BURRELL, R. CARTER, CAZAYOUX, CRANE, CRAVINS, DAMICO, DANIEL, DARTEZ, DOERGE, DORSEY, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FRITH, GREENE, E. GUILLORY, M. GUILLORY, HEBERT, HILL, HONEY, HUTTER, JACKSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LAFLEUR, LAFONTA, MCVEA, MONTGOMERY, ODINET, PIERRE, PITRE, M. POWELL, T. POWELL, RICHMOND, ROMERO, SALTER, SCALISE, SHEPHERD, SMILEY, GARY SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, AND WRIGHT

AN ACT

To amend and reenact R.S. 33:1981(C)(1) and 2201(C)(1), relative to financial security of survivors of firemen and law enforcement officers; to provide for payments to surviving spouses; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 474—

BY REPRESENTATIVE JACKSON
AN ACT

To enact Subpart Z of Part I of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:120.81, relative to state individual income tax checkoffs; to provide for a method for individuals to donate a portion of any refund due to the Community-based Primary Health Care Initiative Fund; to provide for collection and disbursement of the donation by the Department of Revenue; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 531—

BY REPRESENTATIVE THOMPSON AND SENATORS ELLINGTON AND SMITH
AN ACT

To amend and reenact R.S. 51:955.4(F) and to enact R.S. 51:955.5, relative to broadband technology; to create the Broadband Infrastructure and Information Technology Fund; to provide for the deposit of certain monies in the fund; to provide for the use of monies in the fund; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 623—

BY REPRESENTATIVE LAFLEUR
AN ACT

To amend and reenact R.S. 27:353(4), relative to the revenues under the Pari-mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to define eligible facility to include facilities temporarily not racing because of safety issues in order to preserve the revenues to be distributed which revenues are derived from the conduct of slot machine gaming in St. Landry Parish; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 663—

BY REPRESENTATIVES GLOVER, BAYLOR, BOWLER, BRUCE, BURRELL, AND JACK SMITH
AN ACT

To enact R.S. 15:572.8, relative to the wrongful conviction and imprisonment; to create an application process for compensation for wrongful conviction and imprisonment; to provide for compensation; to create the Innocence Compensation Fund as a special fund in the state treasury; to provide for the deposit, use, and investment of monies in the fund; to provide for the funding of annuity contracts in certain circumstances; to provide procedures for filing an application; to provide for the period of time in which the application shall be filed; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 797—

BY REPRESENTATIVES BEARD AND FAUCHEUX
AN ACT

To enact Subpart C of Part X of Chapter 26 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3398.10 through 3398.14; to provide for the establishment of one or more film institutes; to provide for the powers, duties, functions, and governance of the institutes; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 824—

BY REPRESENTATIVES ALARIO AND TRICHE
AN ACT

To provide for the establishment and reestablishment of agency ancillary funds, to be specifically known as internal service funds, auxiliary accounts, or enterprise funds for certain state institutions, officials, and agencies; to provide for appropriation of funds; and to regulate the administration of said funds.

Reported without amendments.

HOUSE BILL NO. 836—

BY REPRESENTATIVES ALARIO, CAZAYOUX, DEWITT, GALLOT, LAFLEUR, SALTER, TOWNSEND, AND TRICHE AND SENATORS CHAISSON, HINES, LENTINI, AND MARIONNEAUX
AN ACT

To appropriate funds to defray the expenses of the Louisiana Judiciary, including the Supreme Court, Courts of Appeal, District Courts, Criminal District Court of Orleans Parish, and other courts; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 841—

BY REPRESENTATIVES ALARIO AND TRICHE
AN ACT

To provide with respect to the Revenue Sharing Fund and the allocation and distribution thereof for Fiscal Year 2005-2006; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 858—

BY REPRESENTATIVES SALTER, DORSEY, LANCASTER, ARNOLD, AND ALARIO AND SENATORS HINES, BAJOEI, JONES, AND HEITMEIER
AN ACT

To appropriate funds for Fiscal Year 2005-2006 to defray the expenses of the Louisiana Legislature, including the expenses of the House of Representatives and the Senate, of legislative service agencies, and of the Louisiana State Law Institute; and otherwise to provide with respect to the appropriations and allocations herein made.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 858 by Representative Salter

AMENDMENT NO. 1

In Senate Committee Amendment No. 1 proposed by the Senate Committee on Finance and adopted by the Senate on June 19, 2005, on line 2 change "line 14" to "line 12"

AMENDMENT NO. 2

In Senate Committee Amendment No. 2 proposed by the Senate Committee on Finance and adopted by the Senate on June 19, 2005, on line 4 change "line 15" to "line 13"; and change "line 16" to "line 14"

Respectfully submitted,
ARTHUR J. "ART" LENTINI
Chairman

Adoption of Legislative Bureau Report

On motion of Senator Lentini, the Legislative Bureau amendments were adopted and the Bills and Joint Resolutions were read by title and passed to a third reading.

Rules Suspended

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of taking up at this time.

Introduction of Resolutions, Senate and Concurrent

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

SENATE CONCURRENT RESOLUTION NO. 130—

BY SENATOR HINES

A CONCURRENT RESOLUTION

To recognize and commend Ferdinand Troullier upon his retirement with the Louisiana Federation of Teachers, to recognize and record his myriad accomplishments and contributions to education in Louisiana, and to extend to him the best wishes of the legislature as he embarks on new challenges and endeavors.

The resolution was read by title. Senator Hines moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Mount
Barham	Fields	Murray
Boasso	Heitmeier	Nevers
Broome	Jackson	Romero
Cain	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Duplessis	Malone	
Dupre	Michot	
Total - 25		

NAYS

Total - 0

ABSENT

Adley	Fontenot	McPherson
Amedee	Gautreaux B	Schedler
Bajoie	Gautreaux N	Shepherd

Chaisson	Hollis
Dardenne	Marionneaux
Total - 13	

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 131—

BY SENATOR BAJOE

A CONCURRENT RESOLUTION

To recognize the 140th anniversary of Juneteenth and Louisiana's desire to bring attention to the impact of tobacco use on the African-American population and to urge specified public health agencies and organizations to dedicate resources to reduce the use of tobacco among African-Americans.

The resolution was read by title. Senator Bajoie moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	McPherson
Adley	Dupre	Michot
Amedee	Ellington	Mount
Bajoie	Fields	Murray
Barham	Heitmeier	Nevers
Boasso	Jackson	Romero
Broome	Jones	Schedler
Cain	Kostelka	Smith
Cheek	Lentini	Theunissen
Cravins	Malone	Ullo
Total - 30		

NAYS

Total - 0

ABSENT

Chaisson	Gautreaux B	Marionneaux
Dardenne	Gautreaux N	Shepherd
Fontenot	Hollis	
Total - 8		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

Rules Suspended

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of taking up at this time.

House Concurrent Resolutions on Second Reading Reported by Committees

The following House Concurrent Resolutions reported by Committees were taken up and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 134—

BY REPRESENTATIVE LAFONTA

A CONCURRENT RESOLUTION

To direct the secretary of the Department of Revenue to accept amended income tax returns for certain taxpayers and make refunds to reflect the appropriate amount of exemption for retirement income for certain persons sixty-five years or older.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

June 19, 2005

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Engrossed House Concurrent Resolution No. 134 by Representative LaFonta

AMENDMENT NO. 1

On page 1, at the end of line 14, change "on" to "in"

On motion of Senator Mount, the committee amendment was adopted.

The resolution was read by title. Senator Murray moved to concur in the amended House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	McPherson
Adley	Dupre	Michot
Amedee	Ellington	Mount
Bajoie	Fields	Murray
Barham	Heitmeier	Nevers
Boasso	Jackson	Romero
Broome	Jones	Schedler
Cain	Kostelka	Shepherd
Cheek	Lentini	Smith
Cravins	Malone	Theunissen
Dardenne	Marionneaux	Ullo
Total - 33		

NAYS

Total - 0

ABSENT

Chaisson	Gautreaux B	Hollis
Fontenot	Gautreaux N	
Total - 5		

The Chair declared the Senate had concurred in the amended House Concurrent Resolution and ordered it returned to the House.

Rules Suspended

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of taking up at this time.

House Bills and Joint Resolutions on Third Reading and Final Passage

The following House Bills and Joint Resolutions on Third Reading and Final Passage were taken up and acted upon as follows:

HOUSE BILL NO. 420—

BY REPRESENTATIVE MARCHAND
AN ACT

To enact R.S. 47:297.5, relative to individual income tax credits; to provide a tax credit for the rehabilitation of residential structures in certain areas; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Duplessis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Ellington	Michot
Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux N	Nevers
Boasso	Heitmeier	Romero
Broome	Jackson	Schedler
Cain	Jones	Shepherd
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo
Duplessis	Marionneaux	
Total - 35		

NAYS

Total - 0

ABSENT

Chaisson	Gautreaux B	Hollis
Total - 3		

The Chair declared the bill was passed. The title was read and adopted. Senator Duplessis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 602—

BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 47:6019(A)(1), (2), and (3)(a) and (b)(i) and (B), relative to the state historic rehabilitation credit; to provide for the administration of the credit by the state historic preservation office and the Department of Revenue; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Fields moved the final passage of the bill.

YEAS

Mr. President	Duplessis	Marionneaux
Adley	Dupre	McPherson
Amedee	Ellington	Michot
Bajoie	Fields	Mount
Barham	Fontenot	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Jackson	Schedler
Cheek	Jones	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo
Total - 33		

NAYS

Total - 0

ABSENT

Chaisson	Hollis	Shepherd
Gautreaux B	Kostelka	
Total - 5		

The Chair declared the was passed. The title was read and adopted. Senator Fields moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 627—

BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, AND DORSEY AND SENATORS HINES, BAJOIE, HEITMEIER, AND MOUNT

AN ACT

To enact R.S. 47:6020 through 6020.4, to establish the Angel Investor Tax Credit Program; to provide for the amount of the credit; to provide for qualifications for the credit; to provide for the implementation and administration of the program by the Department of Economic Development; to provide for

definitions; to authorize penalties for providing false or fraudulent information; to require an annual report to the legislature; and to provide for related matters.

The bill was read by title. Senator Mount moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Romero
Cain	Jackson	Schedler
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	

Total - 35

NAYS

Total - 0

ABSENT

Chaisson	Gautreaux B	Shepherd
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Total - 3

The Chair declared the bill was passed. The title was read and adopted. Senator Mount moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 634—

BY REPRESENTATIVE HEBERT

AN ACT

To amend and reenact R.S. 47:715.1(A), relative to gasoline and special fuels taxes; to increase the refund for contract school bus drivers; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator N. Gautreaux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	McPherson
Adley	Fields	Michot
Amedee	Fontenot	Mount
Bajoie	Gautreaux N	Murray
Barham	Heitmeier	Nevers
Boasso	Hollis	Romero
Broome	Jackson	Schedler
Cheek	Jones	Shepherd
Cravins	Kostelka	Smith
Dardenne	Lentini	Theunissen
Duplessis	Malone	Ullo
Dupre	Marionneaux	

Total - 35

NAYS

Total - 0

ABSENT

Cain	Chaisson	Gautreaux B
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Total - 3

The Chair declared the bill was passed. The title was read and adopted. Senator N. Gautreaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 659—

BY REPRESENTATIVE BEARD

AN ACT

To enact R.S. 39:1405(D), relative to the negotiated sales of bonds, notes, or certificates of the state and its boards, departments, commissions, authorities, and agencies; to provide for a priority order period for Louisiana retail purchasers of state bonds sold through negotiated sale; and to provide for related matters.

The bill was read by title. Senator Dardenne moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Ellington	Michot
Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux N	Nevers
Boasso	Heitmeier	Romero
Broome	Hollis	Schedler
Cain	Jackson	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	
Duplessis	Marionneaux	

Total - 34

NAYS

Total - 0

ABSENT

Chaisson	Jones
Gautreaux B	Shepherd

Total - 4

The Chair declared the bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 679—

BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, DORSEY, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BAUDIN, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, BURNS, BURRELL, K. CARTER, R. CARTER, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DOVE, DOWNS, DURAND, FANNIN, FARRAR, FAUCHEUX, FRITH, GRAY, GREENE, E. GUILLORY, HEBERT, HILL, HOPKINS, HUTTER, JEFFERSON, KATZ, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAMBERT, LANCASTER, MARTINY, MCDONALD, MCVEA, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RITCHIE, ROBIDEAUX, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, AND WOOTON AND SENATORS HINES, BAJOE, HEITMEIER, AND MOUNT

AN ACT

To amend and reenact R.S. 47:287.92(B), 287.93(A), 287.95(F)(2), 287.738(A), and 606(A)(3), to enact R.S. 47:287.94(H) and 287.738(F), and to repeal R.S. 47:287.71(A)(1) and (2), 287.73(C)(1), 287.95(E), and 287.750, relative to the corporation income tax; to provide for a deduction for interest and dividends; to provide for a single factor apportionment formula for corporation income and franchise tax purposes for certain businesses; to provide for apportionment of profits and losses from sales or exchanges of property not made in the

regular course of business; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Mount moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Kostelka	Ullo
Dardenne	Lentini	
Duplessis	Malone	
Total - 37		

NAYS

Total - 0

ABSENT

Shepherd
Total - 1

The Chair declared the bill was passed. The title was read and adopted. Senator Mount moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 684—

BY REPRESENTATIVE HAMMETT

AN ACT

To amend and reenact R.S. 47:6015(B), (C)(1) and (2), (D), (F)(introductory paragraph) and (3), (G), and (H)(1) and to enact R.S. 47:6015(C)(5)(a)(iv), (F)(4), and (I), relative to exemptions from state taxes; to provide relative to the research and development tax credit; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Mount moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Malone
Adley	Dupre	Marionneaux
Amedee	Ellington	McPherson
Bajoie	Fields	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Heitmeier	Romero
Chaisson	Hollis	Schedler
Cheek	Jackson	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Jones
Total - 2

Shepherd

The Chair declared the bill was passed. The title was read and adopted. Senator Mount moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 708—

BY REPRESENTATIVE ARNOLD

AN ACT

To amend and reenact R.S. 47:1703(A)(2) and (B), relative to the homestead exemption; to change the date which a property owner in Orleans Parish entitled to the homestead exemption is required to own and occupy the homestead before the homestead exemption is claimed; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Dardenne	Lentini	Theunissen
Duplessis	Malone	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Cravins
Total - 2

Kostelka

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Rules Suspended

Senator Heitmeier asked for and obtained a suspension of the rules for the purpose of taking up at this time.

House Bills and Joint Resolutions on Third Reading and Final Passage, Subject to Call

The following House Bills and Joint Resolutions on Third Reading and Final Passage, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Heitmeier asked that House Bill No. 1 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 1—

BY REPRESENTATIVES ALARIO AND TRICHE
AN ACT

Making appropriations for the ordinary expenses of the executive branch of state government, pensions, public schools, public roads, public charities, and state institutions and providing with respect to the expenditure of said appropriations.

Floor Amendments Sent Up

Senator Heitmeier sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Reengrossed House Bill No. 1 by Representative Alario

AMENDMENT NO. 1

In Senate Committee Amendment No. 6 proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2005, on page 1, delete lines 24 through 26.

AMENDMENT NO. 2

In Senate Committee Amendment No. 24 proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2005, on page 3, delete lines 25 through 27.

AMENDMENT NO. 3

Delete Senate Committee Amendment No. 26 proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2005.

AMENDMENT NO. 4

In Senate Committee Amendment No. 36 proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2005, on page 5, line 10, change "\$50,000" to "\$100,000"

AMENDMENT NO. 5

In Senate Committee Amendment No. 48 proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2005, on page 9, delete lines 19 through 23.

AMENDMENT NO. 6

In Senate Committee Amendment No. 61 proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2005, on page 10, line 41, change "\$50,000" to "\$100,000"

AMENDMENT NO. 7

In Senate Committee Amendment No. 108 proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2005, on page 14, at the end of line 26, change "\$980,777.693" to "\$973,688,822"

AMENDMENT NO. 8

In Senate Committee Amendment No. 110 proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2005, on page 14, at the end of line 30, change "\$232,603,194" to "\$239,692,065"

AMENDMENT NO. 9

In Senate Committee Amendment No. 179 proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2005, on page 22, delete "\$50,890,000" and insert "\$51,390,000"

AMENDMENT NO. 10

Delete Senate Committee Amendment No. 181 proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2005.

AMENDMENT NO. 11

Delete Senate Committee Amendment No. 182 proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2005.

AMENDMENT NO. 12

In Senate Committee Amendment No. 202 proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2005, on page 25, at the end of line 38, delete "\$90,000" and insert "\$70,000"

AMENDMENT NO. 13

In Senate Committee Amendment No. 238 proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2005, on page 30, line 5, after "Development, including" delete the remainder of the line and insert the following:

"Six (6) positions \$250,000"

AMENDMENT NO. 14

In Senate Committee Amendment No. 259 proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2005, on page 36, delete lines 12 through 14, in their entirety.

AMENDMENT NO. 15

In Senate Committee Amendment No. 259 proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2005, on page 36, line 17, change "\$50,000" to "\$100,000"

AMENDMENT NO. 16

In Senate Committee Amendment No. 259 proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2005, on page 36, line 40, change "Council" to "Commission"

AMENDMENT NO. 17

In Senate Committee Amendment No. 259 proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2005, on page 39, line 21, after "Foundation" insert "-Alexandria"

AMENDMENT NO. 18

In Senate Committee Amendment No. 259 proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2005, on page 40, line 6, change "Mangum" to "Mangham"

AMENDMENT NO. 19

In Senate Committee Amendment No. 259 proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2005, on page 41, line 7, change "Newelton" to "Newellton"

AMENDMENT NO. 20

In Senate Committee Amendment No. 259 proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2005, on page 41, line 17, change "Vermillion" to "Vermilion"

AMENDMENT NO. 21

In Senate Committee Amendment No. 259 proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2005, on page 42, line 7, change "\$25,000" to "\$50,000"

AMENDMENT NO. 22

On page 23, between lines 14 and 15 insert the following:

"Provided, however, that local indigent defense boards and the Louisiana Indigent Defense Assistance Board are authorized to participate in the Edward Byrne Formula Grant Funds Program."

AMENDMENT NO. 23

On page 25, between lines 31 and 32, insert the following:

"Payable out of the State General Fund (Direct)
to the Senior Centers Program for the
Pete Sanchez Senior Citizens Center \$15,000"

AMENDMENT NO. 24

On page 103, between lines 15 and 16, insert the following:

"EXPENDITURES:
Payments to Public Providers Program \$27,100,000
Uncompensated Care Costs Program \$6,549,742

TOTAL EXPENDITURES	<u><u>\$33,649,742</u></u>
MEANS OF FINANCE:	
State General Fund by:	
Statutory Dedications:	
Louisiana Medical Assistance Trust Fund-FY05	
Excess	\$10,081,577
Federal Funds	<u><u>\$23,568,165</u></u>
TOTAL MEANS OF FINANCE	<u><u>\$33,649,742"</u></u>

AMENDMENT NO. 25

On page 108, between lines 27 and 28, insert the following:

"Payable out of the State General Fund (Direct)
to the Personal Health Services program for
operating cost, including thirty (30) positions \$1,650,000"

AMENDMENT NO. 26

On page 109, between lines 14 and 15, insert the following:

"Payable out of the State General Fund (Direct)
for operating expenses, including
five (5) positions \$400,000"

AMENDMENT NO. 27

On page 110, between lines 19 and 20, insert the following:

"Payable out of the State General Fund (Direct)
for operating expenses, including
twelve (12) positions \$700,000"

AMENDMENT NO. 28

On page 111, after line 47, insert the following:

"Payable out of the State General Fund (Direct)
for operating expenses, including
twenty-six (26) positions \$2,150,000"

AMENDMENT NO. 29

On page 118, between lines 22 and 23, insert the following:

"Payable out of the State General Fund by
Interagency Transfers for the operational
costs at the various developmental centers,
including one hundred three (103) positions \$2,350,000"

AMENDMENT NO. 30

On page 121, line 35, delete "(2,533)" and insert "(2,537)"

AMENDMENT NO. 31

On page 129, delete lines 12 through 16, in their entirety.

AMENDMENT NO. 32

On page 147, line 52, after "industry" insert "and for the general promotion and protection of the Louisiana Fishery"

AMENDMENT NO. 33

On page 160, between lines, 25 and 26, insert the following:

"Payable out of the State General Fund (Direct)
to the Louisiana State University Board of
Supervisors for the Truancy Assessment and
Service Centers \$75,000

Provided, however, that of the State General Fund (Direct)
appropriated herein, the amount of \$75,000 shall be expended for
the Twenty-Third Judicial District Court for the Truancy
Program."

AMENDMENT NO. 34

On page 162, between lines, 13 and 14, insert the following:

"Payable out of the State General Fund by
Interagency Transfers for Truancy Assessment
and Service Centers (TASC) operations \$850,000"

AMENDMENT NO. 35

On page 166, between lines 15 and 16, insert the following:

"Payable out of the State General Fund by
Interagency Transfers to Louisiana
State University Health Sciences Center-
Shreveport for additional uncompensated
care costs \$1,017,378"

AMENDMENT NO. 36

On page 166, after line 47, insert the following:

"Payable out of the State General Fund by
Interagency Transfers to E.A. Conway
Medical Center for additional
uncompensated care costs \$1,344,919"

AMENDMENT NO. 37

On page 168, between lines 42 and 43, insert the following:

"Payable out of the State General Fund (Direct)
to the Louisiana State University - Agricultural
Center for general operating expenses \$2,000,000"

AMENDMENT NO. 38

On page 209, at the beginning of line 37, delete "No. ___" and insert "No. 355"

AMENDMENT NO. 39

On page 218, line 44, delete "(99)" and insert "(97)"

AMENDMENT NO. 40

On page 218, at the end of line 44, delete "\$14,882,935" and insert "\$14,132,935"

AMENDMENT NO. 41

On page 219, at the end of line 44, delete "\$114,839,374" and insert "\$114,089,374"

AMENDMENT NO. 42

On page 219, at the end of line 48, delete "\$16,168,891 and insert "\$15,418,891"

AMENDMENT NO. 43

On page 219, at the end of line 54, delete "\$114,839,374" and insert "\$114,089,374"

AMENDMENT NO. 44

On page 223, at the end of line 1, delete "\$322,141,125" and insert "\$317,391,125"

AMENDMENT NO. 45

On page 223, at the end of line 46, delete "\$1,090,815,779" and insert "\$1,086,065,779"

AMENDMENT NO. 46

On page 223, at the end of line 50, delete "\$54,650,213" and insert "\$49,900,213"

AMENDMENT NO. 47

On page 223, at the end of line 54, delete "\$1,090,815,779" and insert "\$1,086,065,779"

AMENDMENT NO. 48

On page 251, between line 19 and 20, insert the following:

"Payable out of the State General Fund (Direct)
to the Rapides Primary Health Care Center \$100,000

Payable out of the State General Fund (Direct)

to the Sickle Cell Anemia Research Foundation	\$10,000
Payable out of the State General Fund (Direct)	
to Café' Reconcile for healthy meals and	
nutritional education for children	\$10,000
Payable out of the State General Fund (Direct)	
to Kid's Café' for health meals and	
nutritional education for children	\$10,000
Payable out of the State General Fund (Direct)	
to the Supported Training and Employment	
Project, Inc., in conjunction with Bayou	
Industrial Maintenance Services	\$75,000"

On motion of Senator Heitmeier, the amendments were adopted.

Floor Amendments Sent Up

Senator Schedler sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators Dardenne and Schedler to Reengrossed House Bill No. 1 by Representative Alario

AMENDMENT NO. 1

On page 6, line 4, change "Section 11." to "Section 11.A"

AMENDMENT NO. 2

On page 6, between lines 10 and 11, insert the following:

"B. The commissioner of administration is hereby directed to reduce the discretionary State General Fund (Direct) appropriations contained in this Act by one and thirty-six one hundredths of one percent (1.36%) across-the-board, or so much thereof more or less as may be necessary, to effect a savings of \$37,500,000. For the purposes of this reduction, discretionary expenditures shall not include expenditure items described as non-discretionary in the Fiscal Year 2005-2006 Executive Budget."

AMENDMENT NO. 3

On page 157, delete lines 31 through 39

AMENDMENT NO. 4

On page 158, between lines 4 and 5, insert the following:

"Payable out of the State General Fund (Direct) for a faculty pay increase, including related benefits, in the event that necessary reductions are made in House Bill No. 842 of the 2005 Regular Session so as to effectuate a total savings of 48,500,000

\$17,000,000

Provided, however, in the event that necessary reductions are not made in House Bill No. 842 of the 2005 Regular Session so as to effectuate a total savings of \$48,500,000, then the one and thirty-six one hundredths of one percent (1.36%) across-the-board reductions prescribed for discretionary expenditures in this Section of this Act are hereby null and void, and the faculty pay increase contained in this appropriation is also hereby null and void.

Provided, further, that this pay increase, should it take effect, shall be dedicated to a uniform pay raise of \$1,500 per faculty member and shall be distributed in accordance with a plan adopted by the Board of Regents and approved by the division of administration."

AMENDMENT NO. 5

On page 158, at the end of line 36, delete "\$6,000,000" and insert "\$5,000,000"

AMENDMENT NO. 6

On page 158, at the end of line 37, delete "\$6,000,000" and insert "\$5,000,000"

AMENDMENT NO. 7

On page 158, at the end of line 41, delete "\$6,000,000" and insert "\$5,000,000"

AMENDMENT NO. 8

On page 158, at the end of line 42, delete "\$6,000,000" and insert "\$5,000,000"

AMENDMENT NO. 9

On page 158, line 43, delete "\$10 million" and insert "\$5 million"

AMENDMENT NO. 10

On page 226, between lines 33 and 34, insert the following:

"Payable out of the State General Fund (Direct) for a certificated personnel pay increase, including related benefits, in the event that necessary reductions are made in House Bill 842 of the 2005 Regular Session so as to effectuate a total savings of \$48,500,000

\$69,000,000

Provided, however, in the event that necessary reductions are not made in House Bill No. 842 of the 2005 Regular Session so as to effectuate a total savings of \$48,500,000, then the one and thirty-six one hundredths of one percent (1.36%) across-the-board reductions prescribed for discretionary expenditures in this Section of this Act are hereby null and void, and the certificated pay increase contained in this appropriation is also hereby null and void.

Provided, further, that this increase in the Minimum Foundation Program for Fiscal Year 2005-2006, should it take effect, shall be dedicated to a uniform pay raise of \$1,000 per certificated employee as defined in the Department of Education's annual Profile of Educational Personnel report.

Provided, further, that of the funds appropriated herein for a uniform pay raise of \$1,000 per certificated employee, \$567,000 shall be allocated accordingly for certificated employees at the following: the Louisiana School for the Visually Impaired; the Louisiana School for the Deaf; the Louisiana Special Education Center; the Louisiana School for Math, Science and the Arts; the New Orleans Center for the Creative Arts - Riverfront; the Special School Districts; and the Department of Public Safety and Corrections, Office of Youth Development."

Senator Schedler moved adoption of the amendments.

Senator Heitmeier objected.

ROLL CALL

The roll was called with the following result:

YEAS

Barham	Kostelka	Schedler
Boasso	Malone	Theunissen
Dardenne	Michot	
Hollis	Romero	
Total - 10		

NAYS

Mr. President	Duplessis	Lentini
Adley	Ellington	Marionneaux
Amedee	Fields	McPherson
Bajoie	Fontenot	Mount
Broome	Gautreaux B	Murray
Cain	Gautreaux N	Nevers
Chaisson	Heitmeier	Shepherd
Cheek	Jackson	Smith

Cravins
Total - 27

Jones

Ullo

ABSENT

Dupre
Total - 1

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator Romero sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Romero to Reengrossed House Bill No. 1 by Representative Alario

AMENDMENT NO. 1

On page 6, line 4, change "Section 11." to "Section 11.A"

AMENDMENT NO. 2

On page 6, between lines 10 and 11, insert the following:

"B. The commissioner of administration is hereby directed to reduce the discretionary State General Fund (Direct) appropriations contained in this Act by one and thirty-six one hundredths of one percent (1.36%) across-the-board, or so much thereof more or less as may be necessary, to effect a savings of \$37,500,000. For the purposes of this reduction, discretionary expenditures shall not include expenditure items described as non-discretionary in the Fiscal Year 2005-2006 Executive Budget."

AMENDMENT NO. 3

On page 157, delete lines 31 through 39

AMENDMENT NO. 4

On page 158, between lines 4 and 5, insert the following:

"Payable out of the State General Fund (Direct) for a faculty pay increase, including related benefits, in the event that necessary reductions are made in House Bill No. 842 of the 2005 Regular Session so as to effectuate a total savings of 48,500,000

\$5,700,000

Provided, however, in the event that necessary reductions are not made in House Bill No. 842 of the 2005 Regular Session so as to effectuate a total savings of \$48,500,000, then the one and thirty-six one hundredths of one percent (1.36%) across-the-board reductions prescribed for discretionary expenditures in this Section of this Act are hereby null and void, and the faculty pay increase contained in this appropriation is also hereby null and void.

Provided, further, that this pay increase, should it take effect, shall be dedicated to a uniform pay raise of \$500 per faculty member and shall be distributed in accordance with a plan adopted by the Board of Regents and approved by the division of administration."

AMENDMENT NO. 5

On page 158, at the end of line 36, delete "\$6,000,000" and insert "\$5,000,000"

AMENDMENT NO. 6

On page 158, at the end of line 37, delete "\$6,000,000" and insert "\$5,000,000"

AMENDMENT NO. 7

On page 158, at the end of line 41, delete "\$6,000,000" and insert "\$5,000,000"

AMENDMENT NO. 8

On page 158, at the end of line 42, delete "\$6,000,000" and insert "\$5,000,000"

AMENDMENT NO. 9

On page 158, line 43, delete "\$10 million" and insert "\$5 million"

AMENDMENT NO. 10

On page 226, between lines 33 and 34, insert the following:

"Payable out of the State General Fund (Direct) for a certificated personnel pay increase, including related benefits, in the event that necessary reductions are made in House Bill 842 of the 2005 Regular Session so as to effectuate a total savings of \$48,500,000

\$69,000,000

Provided, however, in the event that necessary reductions are not made in House Bill No. 842 of the 2005 Regular Session so as to effectuate a total savings of \$48,500,000, then the one and thirty-six one hundredths of one percent (1.36%) across-the-board reductions prescribed for discretionary expenditures in this Section of this Act are hereby null and void, and the certificated pay increase contained in this appropriation is also hereby null and void.

Provided, further, that this increase in the Minimum Foundation Program for Fiscal Year 2005-2006, should it take effect, shall be dedicated to a uniform pay raise of \$1,500 per certificated employee as defined in the Department of Education's annual Profile of Educational Personnel report.

Provided, further, that of the funds appropriated herein for a uniform pay raise of \$1,000 per certificated employee, \$567,000 shall be allocated accordingly for certificated employees at the following: the Louisiana School for the Visually Impaired; the Louisiana School for the Deaf; the Louisiana Special Education Center; the Louisiana School for Math, Science and the Arts; the New Orleans Center for the Creative Arts - Riverfront; the Special School Districts; and the Department of Public Safety and Corrections, Office of Youth Development.

Payable out of the State General Fund (Direct) for a support personnel pay increase, including related benefits, in the event that necessary reductions are made in House Bill 842 of the 2005 Regular Session so as to effectuate a total savings of \$48,500,000

\$11,300,000

Provided, however, in the event that necessary reductions are not made in House Bill No. 842 of the 2005 Regular Session so as to effectuate a total savings of \$48,500,000, then the one and thirty-six one hundredths of one percent (1.36%) across-the-board reductions prescribed for discretionary expenditures in this Section of this Act are hereby null and void, and the support personnel pay increase contained in this appropriation is also hereby null and void.

Provided, further, that this increase in the Minimum Foundation Program for Fiscal Year 2005-2006, should it take effect, shall be dedicated to a uniform pay raise of \$250 per support employee as defined in the Department of Education's annual Profile of Educational Personnel report.

Provided, further, that of the funds appropriated herein for a uniform pay raise of \$250 per support employee, \$376,000 shall be allocated accordingly for support employees at the following: the Louisiana School for the Visually Impaired; the Louisiana School for the Deaf; the Louisiana Special Education Center; the Louisiana School for Math, Science and the Arts; the New Orleans Center for the Creative Arts - Riverfront; the nonpublic lunchroom employees; the Special School Districts; and the Department of Public Safety and Corrections, Office of Youth Development."

Senator Romero moved adoption of the amendments.

Senator Heitmeier objected.

ROLL CALL

The roll was called with the following result:

YEAS

Barham	Dardenne	Schedler
Boasso	Gautreaux N	Theunissen
Cain	Michot	
Cravins	Romero	
Total - 10		

NAYS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	McPherson
Bajoie	Gautreaux B	Mount
Broome	Heitmeier	Murray
Chaisson	Hollis	Nevers
Cheek	Jackson	Smith
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total - 26		

ABSENT

Marionneaux	Shepherd
Total - 2	

The Chair declared the amendments were rejected.

Motion

Senator Heitmeier moved the adoption of the Preamble, as amended.

Senator Boasso objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Total - 38		

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the Preamble, as amended was adopted. Senator Heitmeier moved to reconsider the vote by which the Preamble was adopted and laid that motion on the table.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators Dardenne and Schedler to Reengrossed House Bill No. 1 by Representative Alario

AMENDMENT NO. 1

On page 11, at the end of line 5, delete "\$45,884,684" and insert "\$33,884,684"

AMENDMENT NO. 2

On page 12, at the end of line 32, delete "\$55,366,763" and insert "\$43,366,763"

AMENDMENT NO. 3

On page 12, at the end of line 34, delete "\$24,070,276 and insert "\$17,742,458"

AMENDMENT NO. 4

On page 12, at the end of line 40, delete "\$7,586,933" and insert "\$1,914,751"

AMENDMENT NO. 5

On page 12, at the end of line 45, delete "\$55,366,763" and insert "\$43,366,763"

AMENDMENT NO. 6

On page 224, after line 34, insert the following:

"Payable out of the State General Fund (Direct)
for the purchase of teaching materials and
supplies for the benefit of children enrolled
in approved public elementary and secondary
schools \$12,000,000

Provided, however, that the Department of Education shall develop guidelines, subject to approval by the Senate Committee on Education and the House Committee on Education, for the distribution of these funds. Provided, further, the distribution of these funds shall be made as an allocation for each approved public school in Louisiana, which allocation shall be determined based upon the student count for each school. Funds for each school shall be distributed through the local school board to each school on a per pupil basis and to each teacher within a school on a per pupil basis. Decisions on the use of such funds shall be made individually by each teacher or collectively by the teachers at the school. To the extent possible, these monies shall be used for teaching materials and supplies which are not consumed within a one-year period of time. Additionally, the amount to be distributed shall not be less than Two Hundred Dollars (\$200) for each teacher."

AMENDMENT NO. 7

On page 252, at the end of line 19, delete "\$7,586,756" and insert "\$1,914,574"

AMENDMENT NO. 8

On page 252, at the end of line 24, delete "\$7,624,256" and insert "\$1,952,074"

AMENDMENT NO. 9

On page 252, at the end of line 26, delete "\$7,624,256" and insert "\$1,952,074"

AMENDMENT NO. 10

On page 252, at the end of line 27, delete "\$7,624,256" and insert "\$1,952,074"

Senator Dardenne moved adoption of the amendments.

Senator Heitmeier objected.

ROLL CALL

The roll was called with the following result:

YEAS

Amedee
Barham
Boasso
Total - 9

Cain
Dardenne
Fontenot

Romero
Schedler
Theunissen

NAYS

Mr. President
Adley
Bajoie
Broome
Chaisson
Cheek
Cravins
Duplessis
Dupre
Ellington
Total - 28

Fields
Gautreaux B
Gautreaux N
Heitmeier
Hollis
Jackson
Jones
Kostelka
Lentini
Malone

Marionneaux
McPherson
Mount
Murray
Nevers
Shepherd
Smith
Ullo

ABSENT

Michot
Total - 1

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Reengrossed House Bill No. 1 by Representative Alario

AMENDMENT NO.1

Delete Senate Committee Amendment No. 25 proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2005

Senator Dardenne moved adoption of the amendments.

Senator B. Gautreaux objected.

ROLL CALL

The roll was called with the following result:

YEAS

Amedee
Barham
Boasso
Cain
Cravins
Dardenne
Total - 18

Duplessis
Fontenot
Gautreaux N
Hollis
Kostelka
Malone

Marionneaux
Mount
Nevers
Romero
Schedler
Theunissen

NAYS

Mr. President
Adley
Bajoie
Broome
Chaisson
Cheek
Total - 18

Dupre
Ellington
Gautreaux B
Heitmeier
Jackson
Jones

Lentini
McPherson
Murray
Shepherd
Smith
Ullo

ABSENT

Fields
Total - 2

Michot

The Chair declared the amendments were rejected.

Motion

Senator Heitmeier moved to adopt Schedule 01 and lay that motion on the table.

Without objection, Schedule 01 was adopted.

Motion

Senator Heitmeier moved to adopt Schedule 03 and lay that motion on the table.

Without objection, Schedule 03 was adopted.

Floor Amendments Sent Up

Senator Cain sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cain to Reengrossed House Bill No. 1 by Representative Alario

AMENDMENT NO.1

On page 45, after line 56, insert the following:

"Provided, however, that any appropriation to the Louisiana Agricultural Finance Authority be contingent upon compliance with the Public Bid Law."

Senator Heitmeier asked for a ruling from the Chair as to whether the amendment was germane to the bill.

The Chair ruled that the amendment was germane to the bill.

Senator Cain moved adoption of the amendments.

Senator Heitmeier objected.

ROLL CALL

The roll was called with the following result:

YEAS

Cain
Dardenne
Duplessis
Hollis
Total - 10

Lentini
Malone
Mount
Romero

Schedler
Ullo

NAYS

Mr. President
Adley
Amedee
Bajoie
Broome
Chaisson
Cheek
Dupre
Total - 23

Ellington
Fontenot
Gautreaux B
Gautreaux N
Heitmeier
Jackson
Jones
Kostelka

Marionneaux
McPherson
Murray
Nevers
Shepherd
Smith
Theunissen

ABSENT

Barham
Boasso
Total - 5

Cravins
Fields

Michot

The Chair declared the amendments were rejected.

Motion

Senator Heitmeier moved to adopt Schedule 04 and lay that motion on the table.

Without objection, Schedule 04 was adopted.

Floor Amendments Sent Up

Senator Mount sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Mount to Reengrossed House Bill No. 1 by Representative Alario

AMENDMENT NO. 1

In Senate Committee Amendment No. 48 proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2005, on page 7, line 14, change "\$150,000" to "\$250,000"

AMENDMENT NO. 2

In Senate Committee Amendment No. 259 proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2005, on page 33, line 42, change "\$150,000" to "\$25,000"

AMENDMENT NO. 3

On page 50, line 25, change "\$150,000" to "\$175,000"

On motion of Senator Mount, the amendments were adopted.

Motion

Senator Heitmeier moved to adopt Schedule 05, as amended, and lay that motion on the table.

Without objection, Schedule 05 was adopted.

Motion

Senator Heitmeier moved to adopt Schedule 06 and lay that motion on the table.

Without objection, Schedule 06 was adopted.

Motion

Senator Heitmeier moved to adopt Schedule 07 and lay that motion on the table.

Without objection, Schedule 07 was adopted.

Motion

Senator Heitmeier moved to adopt Schedule 08 and lay that motion on the table.

Without objection, Schedule 08 was adopted.

Motion

Senator Heitmeier moved to adopt Schedule 09 and lay that motion on the table.

Without objection, Schedule 09 was adopted.

Motion

Senator Heitmeier moved to adopt Schedule 10 and lay that motion on the table.

Without objection, Schedule 10 was adopted.

Motion

Senator Heitmeier moved to adopt Schedule 11 and lay that motion on the table.

Without objection, Schedule 11 was adopted.

Motion

Senator Heitmeier moved to adopt Schedule 12 and lay that motion on the table.

Without objection, Schedule 12 was adopted.

Motion

Senator Heitmeier moved to adopt Schedule 13 and lay that motion on the table.

Without objection, Schedule 13 was adopted.

Motion

Senator Heitmeier moved to adopt Schedule 14 and lay that motion on the table.

Without objection, Schedule 14 was adopted.

Motion

Senator Heitmeier moved to adopt Schedule 16 and lay that motion on the table.

Without objection, Schedule 16 was adopted.

Motion

Senator Heitmeier moved to adopt Schedule 17 and lay that motion on the table.

Without objection, Schedule 17 was adopted.

Motion

Senator Heitmeier moved to adopt Schedule 18 and lay that motion on the table.

Without objection, Schedule 18 was adopted.

Floor Amendments Sent Up

Senator McPherson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Reengrossed House Bill No. 1 by Representative Alario

AMENDMENT NO. 1

On page 189, delete lines 12 through 15 in their entirety, and insert the following:

"Out of the funds appropriated herein to the Board of Supervisors of the Community and Technical Colleges System, the following amounts shall be allocated to each higher education institution. In the event that HB 505 of the 2005 Regular Session of the Legislature is enacted into law, the Board of Supervisors of the Community and Technical Colleges System shall submit its reorganization plans for a technical division of the Joint Legislative Committee on the Budget no later than February 1, 2006. Regardless of whether HB 505 of the 2005 Regular Session is enacted into law, of the amounts allocated herein for the Louisiana Technical College, the Louisiana Community and Technical Colleges Board of Supervisors shall ensure that at least fifty percent (50%) of all educational and general expenditures of the Louisiana Technical College are in the area of instruction. The functional definition of instruction shall be determined by the Board of Regents and shall be consistent with its existing financial policies and procedures. Further, the Louisiana Community and Technical Colleges Board of Supervisors shall submit to the Joint

Legislative Committee on the Budget a monthly expense report indicating both monthly and year-to-date budgeted and actual educational and general expenditures for the Louisiana Technical College, including the Chancellor's Office and all campuses. Any and all State General Fund and Total Financing allocations for any higher education institution in the Community and Technical Colleges Systems shall only be changed upon approval of the Joint Legislative Committee on the Budget."

On motion of Senator Heitmeier, the amendments were adopted.

Senator Bajoie in the Chair

Floor Amendments Sent Up

Senator Hines sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hines to Reengrossed House Bill No. 1 by Representative Alario

AMENDMENT NO. 1

Delete Senate Committee Amendment No. 224 proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2005.

AMENDMENT NO. 2

On page 220, between lines 8 and 9, insert the following:

"Payable out of the State General Fund (Direct)
to the Louisiana Youth Center at Bunkie
for personnel, maintenance, supplies and
equipment \$50,000"

On motion of Senator Hines, the amendments were adopted.

Motion

Senator Heitmeier moved to adopt Schedule 19, as amended, and lay that motion on the table.

Without objection, Schedule 19, as amended, was adopted.

Floor Amendments Sent Up

Senator Malone sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Malone to Reengrossed House Bill No. 1 by Representative Alario

AMENDMENT NO. 1

On page 249, delete lines 38 and 39

AMENDMENT NO. 2

On page 250, line 38, change "200,000" to "250,000"

On motion of Senator Malone, the amendments were adopted.

Motion

Senator Heitmeier moved to adopt Schedule 20, as amended, and lay that motion on the table.

Without objection, Schedule 20, as amended, was adopted.

Motion

Senator Heitmeier moved to adopt Schedule 21 and lay that motion on the table.

Without objection, Schedule 21 was adopted.

The bill was read by title. Senator Heitmeier moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Romero
Broome	Heitmeier	Schedler
Cain	Hollis	Shepherd
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Kostelka	Ullo
Dardenne	Lentini	
Duplessis	Malone	
Total - 37		

NAYS

Total - 0

ABSENT

Michot
Total - 1

The Chair declared the amended bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Rules Suspended

Senator Ullo asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

Reports of Committees

The following reports of committees were received and read:

**SUPPLEMENTAL REPORT
REPORT OF COMMITTEE ON**

REVENUE AND FISCAL AFFAIRS

Senator Mount, Chairman on behalf of the Committee on Revenue and Fiscal Affairs, submitted the following report:

June 19, 2005

To the President and Members of the Senate:

I am directed by your Committee on Revenue and Fiscal Affairs to submit the following report:

**HOUSE BILL NO. 877—
BY REPRESENTATIVE TOWNSEND
AN ACT**

To enact R.S. 51:1792, relative to eligibility for tax incentives under the enterprise zone program; to provide for the eligibility for certain video draw poker owners or operators; to provide for an effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted,
WILLIE MOUNT

June 19, 2005

Chairman

REPORT OF COMMITTEE ON**FINANCE**

Senator Heitmeier, Chairman on behalf of the Committee on Finance, submitted the following report:

June 19, 2005

To the President and Members of the Senate:

I am directed by your Committee on Finance to submit the following report:

HOUSE BILL NO. 461—

BY REPRESENTATIVES ALARIO AND TRICHE
AN ACT

To enact R.S. 39:1496.1(E)(3)(c) and to repeal R.S. 17:2008, relative to certain state funds; to provide for the transfer of certain monies to the Louisiana Medical Assistance Trust Fund; to establish the Energy Performance Contracting Fund as a special fund in the state treasury; to repeal the Vocational-Technical Enterprise Fund; to provide an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 842—

BY REPRESENTATIVES ALARIO AND TRICHE
AN ACT

To appropriate funds and to make certain reductions in appropriations from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations and reductions for said agencies and purposes for the 2004-2005 Fiscal Year; to establish certain special treasury funds; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
FRANCIS C. HEITMEIER
Chairman

**House Bills and Joint Resolutions
on Second Reading
Reported by Committees**

Senator Heitmeier asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just reported by Committees.

HOUSE BILL NO. 461—

BY REPRESENTATIVES ALARIO AND TRICHE
AN ACT

To enact R.S. 39:1496.1(E)(3)(c) and to repeal R.S. 17:2008, relative to certain state funds; to provide for the transfer of certain monies to the Louisiana Medical Assistance Trust Fund; to establish the Energy Performance Contracting Fund as a special fund in the state treasury; to repeal the Vocational-Technical Enterprise Fund; to provide an effective date; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Reengrossed House Bill No. 461 by Representative Alario

AMENDMENT NO.1

On page 1, on line 2, after "To" and before "enact" insert "amend and reenact R.S. 39:100.21 and to" and after "(E)(3)(c)" insert "and 2691(B)(1)(f),"

AMENDMENT NO. 2

On page 4, between lines 6 and 7, insert the following:

"Section 10. R.S. 46:2691(B)(1)(f) is hereby enacted to read as follows:

§2961. Medicaid Trust Fund for the Elderly

* * *

B. (1)

* * *

(f) The reimbursement of any monies deposited into the fund as a result over payments of federal funds.

Section 11. R.S. 39:100.21 is hereby amended and reenacted to read as follows:

§100.21. 2004 Overcollections Fund

The 2004 Overcollections Fund, hereinafter referred to as the "fund", is hereby created in the state treasury. After complying with the provisions of Article VII, Section 9(B) of the Constitution of Louisiana relative to the allocation of monies to the Bond Security and Redemption Fund, the treasurer shall deposit into the fund any excess, up to three million two hundred thousand dollars, from the self-generated overcollections of the Office of Financial Institutions. For purposes of this Section, "excess" is defined as the actual self-generated overcollections from the Office of Financial Institutions for Fiscal Year 2003-2004 less the May 14, 2004, Official Forecast of revenues from self-generated overcollections of the Office of Financial Institutions. Monies in the fund shall be subject to appropriation by the legislature for nonrecurring purposes in Fiscal Year 2004-2005. Monies in the fund shall be invested in the same manner as monies in the state general fund. Interest earned on investment of monies in the fund shall be deposited in and credited to the state general fund. Except as otherwise provided in this Section, unexpended and unencumbered monies in the fund at the end of fiscal year shall be deposited into the state general fund remain in the fund. The 2004 Overcollections Fund shall be abolished on June 30, 2006.

Section 12. After complying with the provisions of Article VII, Section (B) of the Constitution of Louisiana relative to the allocation of monies to the Bond Security and Redemption Fund, the treasurer shall deposit into the Louisiana Medical Assistance Trust Fund, to be used in Fiscal Year 2005-2006 for the Medical Vendor Payments Program, any excess, up to two million six hundred thousand dollars and no/100 (\$2,600,000), from the self-generated overcollections of the Commissioner of Insurance. For purposes of this Section, "excess" is defined as the actual self-generated overcollections from the Commissioner of Insurance for Fiscal Year 2004-2005 less the May 16, 2005, Official Forecast of revenues from self-generated overcollections of the Commissioner of Insurance."

AMENDMENT NO. 3

On page 4, line 7, delete "10" and insert "13"

On motion of Senator Heitmeier, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 842—

BY REPRESENTATIVES ALARIO AND TRICHE
AN ACT

To appropriate funds and to make certain reductions in appropriations from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations and reductions for said agencies and purposes for the 2004-2005 Fiscal Year; to establish certain special treasury funds; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Reengrossed House Bill No. 842 by Representative Alario

AMENDMENT NO. 1

On page 1, between lines 11 and 12, insert the following:

"01-107 DIVISION OF ADMINISTRATION

Provided, however, that the commissioner of administration is hereby authorized and directed to adjust the means of finance for the Executive Administration Program in this agency, as contained in Act No. 1 of the 2004 Regular Session of the Legislature, by reducing the appropriation out of the State General Fund (Direct) by \$2,500,000.

01-113 WORKFORCE COMMISSION

Provided, however, that the commissioner of administration is hereby authorized and directed to adjust the means of finance for the Administrative Program in this agency, as contained in Act No. 1 of the 2004 Regular Session of the Legislature, by reducing the appropriation out of the State General Fund (Direct) by \$80,000."

AMENDMENT NO. 2

On page 2, between lines 14 and 15, insert the following:

"Provided, however, that the commissioner of administration is hereby authorized and directed to adjust the means of finance for the Market Compliance Program in this agency, as contained in Act 1 of the 2004 Regular Session of the Legislature, by reducing the appropriation out of the State General Fund by Fees and Self-generated Revenues by \$498,410."

AMENDMENT NO. 3

On page 3, line 25, delete "\$100,000" and insert "\$400,000"

AMENDMENT NO. 4

On page 3, line 31, delete "\$2,400,000" and insert "\$2,763,264"

AMENDMENT NO. 5

On page 4, at the end of line 14, delete "\$65,718,528" and insert "\$43,868,445"

AMENDMENT NO. 6

On page 4, at the end of line 15, delete "\$4,991,934" and insert "\$70,711,581"

AMENDMENT NO. 7

On page 4, between lines 15 and 16, insert the following:

"Medicare Buy-Ins and Supplements Program \$150,000"

AMENDMENT NO. 8

On page 4, at the end of line 16, delete "\$70,710,462" and insert "\$114,730,026"

AMENDMENT NO. 9

On page 4, at the end of line 18, delete "\$19,132,840" and insert "\$15,076,616"

AMENDMENT NO. 10

On page 4, at the end of line 21, delete "\$50,336,843" and insert "\$98,412,631"

AMENDMENT NO. 11

On page 4, at the end of line 22, delete "\$70,710,462" and insert "\$114,730,026"

AMENDMENT NO. 12

On page 4, between lines 32 and 33, insert the following:

"09-307 Office of the Secretary

Payable out of the funds appropriated as State General Fund (Direct) to the Management and Finance Program for Fiscal Year 2003-2004 which were returned to the state in Fiscal Year 2004-2005 to be reappropriated for a grant to the David Raines Community Health Center for the operation of a pharmacy and pharmaceutical goods and services

\$32,529"

AMENDMENT NO. 13

On page 6, line 42, delete "\$11,360,000" and insert "\$4,940,000"

AMENDMENT NO. 14

On page 7, line 26, delete "\$18,640,000" and insert "\$8,060,000"

AMENDMENT NO. 15

On page 10, line 36, delete "\$3,611,935" and insert "\$511,935"

AMENDMENT NO. 16

On page 8, between lines 10 and 11, insert the following:

"Payable out of the State General Fund by Interagency Transfers from the Department of Health and Hospitals for the payment of Medicaid Claims to the LSU Health Sciences Center at Shreveport
\$16,536,711

Provided, however, that of the \$16,536,711 provided for the payment of Medicaid Claims, not less than the amount of \$7,500,000 shall be used for the purchase of equipment for the new ambulatory building located at the LSU Health Sciences Center at Shreveport.

Payable out of the State General Fund by Interagency Transfers from the Department of Health and Hospitals for the payment of Medicaid Claims the E.A. Conway Medical Center \$1,850,715"

AMENDMENT NO. 17

On page 9, between lines 24 and 25, insert the following:

"Payable out of the State General Fund by Statutory Dedications from the Vocational-Technical Enterprise Fund to the Louisiana Technical College for operational and equipment expenses at various campuses
\$867,473"

AMENDMENT NO. 18

On page 9, between lines 31 and 32, insert the following:

"SPECIAL SCHOOLS AND COMMISSIONS

19-662 LOUISIANA EDUCATIONAL TELEVISION AUTHORITY

Provided, however, that the commissioner of administration is hereby authorized and directed to adjust the means of finance for the Broadcasting Program in this agency, as contained in Act 1 of the 2004 Regular Session of the Legislature, by reducing the appropriation out of the State General Fund (Direct) by \$1,000,000."

AMENDMENT NO. 19

On page 9, delete line 38 through 42, and insert in lieu thereof the following:

"Provided, however, that the commissioner of administration is hereby authorized and directed to adjust the means of finance for the School Accountability and Improvement Program and the Quality Educators Program in this agency, as contained in Act 1 of the 2004 Regular Session of the Legislature, by reducing the appropriation out of the State General Fund (Direct) by \$966,613."

AMENDMENT NO. 20

On page 9, after line 42, insert the following:

"Payable out of the State General Fund (Direct)
for the School and Community Support Program
to provide funding to the Avoyelles Parish School
Board to address unforeseen costs associated with
providing transportation services to students of
the Avoyelles Public Charter School \$100,000

FROM:
Federal Funds \$64,858,295

TOTAL MEANS OF FINANCING \$64,858,295

FOR:
Disadvantaged or Disabled Support Program \$52,179,262
Quality Educators Program \$3,000,000
Classroom Technology Program \$1,295,894
School Accountability and Improvement Program \$8,383,139

TOTAL EXPENDITURES \$64,858,295

AMENDMENT NO. 21

On page 10, at the end of line 22, delete "\$23,479" and insert
"\$23,749"

AMENDMENT NO. 22

On page 10, between lines 27 and 28, insert the following:

"Payable out of the State General Fund (Direct)
to the Avoyelles Parish Police Jury for repairs
to erosion on Bayou DeGlaise Road \$300,000

Payable out of the State General Fund by
Statutory Dedications out of the St. Landry
Parish Excellence Fund to the St. Landry
School Board \$594,527

AMENDMENT NO. 23

On page 10, delete lines 40 and 41, in their entirety

AMENDMENT NO. 24

On page 11, on line 2, delete "\$2,400,000" and insert "\$2,763,264"

AMENDMENT NO. 25

On page 11, at the end of line 17, delete "\$212,549,097" and insert
"\$258,757,800"

AMENDMENT NO. 26

On page 11, at the end of line 18, delete "\$212,549,097" and insert
"\$258,767,800"

AMENDMENT NO. 27

On page 11, at the end of line 20, delete "\$211,586,958" and insert
"\$257,295,661"

AMENDMENT NO. 28

On page 11, at the end of line 34, delete "\$212,549,097" and insert
"\$258,257,800"

AMENDMENT NO. 29

On page 11, between lines 34 and 35, insert the following:

"FOR:
Deposit State General Fund (Direct)
into the 2004 Overcollections Fund \$2,500,000

TOTAL EXPENDITURES \$2,500,000

FROM:
State General Fund (Direct) \$2,500,000

TOTAL MEANS OF FINANCING \$2,500,000

AMENDMENT NO. 30

On page 13, between lines 6 and 7, insert the following:

"B.(1) The sum of Two Thousand Four Hundred Seventy-nine and 95/100 (\$2,479.95) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2004-2005 to be used to pay the consent judgment in favor of All State Insurance as partial subrogee to the rights of/and Ruven J. St. Pierre in the suit entitled "All State Insurance as partial subrogee to the rights of/and Ruven J. St. Pierre v. State of Louisiana, Department of Transportation and Development", bearing Number 25,662 on the docket of the Twenty-third Judicial District Court, parish of Assumption, state of Louisiana."

AMENDMENT NO. 31

On page 13, line 7, change "B." to "(2)"

AMENDMENT NO. 32

On page 13, between lines 14 and 15, insert the following:

"(3) The sum of Twenty-one Thousand Four Hundred Fifty-one and 25/100 (\$21,451.25) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2004-2005 to be used to pay the consent judgment in favor of David N. Begnaud and Nicole Begnaud in the suit entitled "David N. Begnaud and Nicole Begnaud, individually and on behalf of their minor children, Emily Begnaud, Lauren Begnaud and Nicholas Begnaud v. State of Louisiana, through the Department of Transportation and Development", bearing Number 102,890 "H" on the docket of the Sixteenth Judicial District Court, parish of Iberia, state of Louisiana."

AMENDMENT NO. 33

On page 13, line 35, after "E." insert "(1)"

AMENDMENT NO. 34

On page 13, between lines 40 and 41, insert the following:

"(2) The sum of Twenty Thousand and No/100 (\$20,000.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2004-2005 to be used to pay the consent judgment in favor of Nancy P. Casey in the suit entitled "Nancy P. Casey v. State of Louisiana, through Department of Transportation and Development", bearing Number 37,863 on the docket of the Second Judicial District Court, parish of Bienville, state of Louisiana."

AMENDMENT NO. 35

On page 14, line 3, after "G." insert "(1)"

AMENDMENT NO. 36

On page 14, between lines 7 and 8, insert the following:

"(2) The sum of Fifty Thousand and No/100 (\$50,000.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2004-2005 to be used to pay the consent judgment in favor of Robert D. Elston, Jr. in the suit entitled "Robert D. Elston, Jr., et ux v. State of Louisiana, et al", bearing Number 98,485 on the docket of the Twenty-sixth Judicial District Court, parish of Bossier, state of Louisiana."

AMENDMENT NO. 37

On page 14, line 28, change "K." to "K.(1)"

AMENDMENT NO. 38

On page 14, between lines 36 and 37, insert the following:

"(2) The sum of One Thousand Five Hundred and No/100 (\$1,500.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2004-2005 to be used to pay the consent judgment in favor of Billy R. Flowers in the suit entitled "Billy R. Flowers v. State of Louisiana, Department of Transportation and Development", bearing Number 166,786 on

the docket of the Ninth Judicial District Court, parish of Rapides, state of Louisiana.

(3) The sum of Four Thousand and No/100 (\$4,000.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2004-2005 to be used to pay the consent judgment in favor of Sean Fulton in the suit entitled "Sean Fulton v. State of Louisiana, Department of Transportation and Development, City of Donaldsonville, Street and Parks Department, Bouchereau Oil Company, Great American Alliance Insurance Company and Risk Management, Inc.", bearing Number 75,004 on the docket of the Twenty-third Judicial District Court, parish of Ascension, state of Louisiana."

AMENDMENT NO. 39

On page 14, line 37, change "L." to "L.(1)"

AMENDMENT NO. 40

On page 14, between lines 47 and 48, insert the following:

"(2) The sum of Twenty-five Thousand and No/100 (\$25,000.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2004-2005 to be used to pay the consent judgment in favor of Judy A. Guice and on behalf of her minor children in the suit entitled "Judy A. Guice, Individually and on behalf of her minor children Kellie Ann Lane Johnson, Chester Grady Johnson, III, and Ashlee Marie Lee Johnson v. State of Louisiana, Department of Transportation and Development", bearing Number 507114 on the docket of the Nineteenth Judicial District Court, parish of East Baton Rouge, state of Louisiana."

AMENDMENT NO. 41

On page 14, line 48, change "M." to "M.(1)"

AMENDMENT NO. 42

On page 14, line 50, after "Dollars" and before the comma "," insert "to be paid to Thomas Halko"

AMENDMENT NO. 43

On page 15, between lines 6 and 7, insert the following:

"(2) The sum of Thirty-two Thousand Five Hundred Eighty-four and No/100 (\$32,584.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2004-2005 to be used to pay the consent judgment in favor of Jeannean Hereford, et al. in the suit entitled "Jeannean Hereford, Rodney Hereford, Jr., Mathew Hereford and Rodney Hereford, Sr. v. State of Louisiana, Department of Transportation and Development", bearing Number 95-12712 on the docket of the Twenty-second Judicial District Court, parish of St. Tammany, state of Louisiana.

(3) The sum of Nine Thousand Two Hundred and Fifty and No/100 (\$9,250.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2004-2005 to be used to pay the consent judgment in favor of Phillip J. Hernandez and Joann Hernandez in the suit entitled "Phillip J. Hernandez and Joann Hernandez v. State of Louisiana, through the Department of Transportation and Development", bearing Number 63,804-E on the docket of the Sixteenth Judicial District Court, parish of St. Martin, state of Louisiana consolidated with the suit entitled "Allstate Insurance Company, as subrogee of Phillip Hernandez v. State of Louisiana, Department of Transportation and Development", bearing Number 63,842-C on the docket of the Sixteenth Judicial District Court, parish of St. Martin, state of Louisiana."

AMENDMENT NO. 44

On page 15, line 13, after "O." insert "(1)"

AMENDMENT NO. 45

On page 15, between lines 17 and 18, insert the following:

"(2) The sum of Twenty-five Thousand and No/100 (\$25,000.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2004-2005 to be used to pay the consent judgment in favor of Alfred Kelley in the suit entitled "Alfred Kelley v. William S. Smith d/b/a Southside Trucking Company, Casualty Reciprocal Exchange and William Smith", bearing Number 2002-001230 "H" on the docket of the Twenty-first Judicial District Court, parish of Tangipahoa, state of Louisiana."

AMENDMENT NO. 46

On page 15, line 36, after "S." insert "(1)"

AMENDMENT NO. 47

On page 15, between lines 41 and 42, insert the following:

"(2) The sum of One Hundred Eighty-two Thousand Nine Hundred Fifty and No/100 (\$182,950.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2004-2005 to be used to pay the final judgment in favor of Billy P. Lee in the suit entitled "Billy P. Lee v. State of Louisiana, through the Department of Transportation and Development", bearing number 2004 CA 1004 on the docket of the Court of Appeal, First Circuit, state of Louisiana."

AMENDMENT NO. 48

On page 15, line 48, after "U." insert "(1)"

AMENDMENT NO. 49

On page 16, between lines 4 and 5, insert the following:

"(2) The sum of Twenty Thousand and No/100 (\$20,000.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2004-2005 to be used to pay the consent judgment in favor of Chad T. Middlebrooks in the suit entitled "Chad T. Middlebrooks v. State of Louisiana, Department of Transportation and Development", bearing Number 2002-3971, Div. B on the docket of the Twelfth Judicial District Court, parish of Avoyelles, state of Louisiana."

AMENDMENT NO. 50

On page 16, line 11, change "W." to "W.(1)"

AMENDMENT NO. 51

On page 16, between lines 16 and 17, insert the following:

"(2) The sum of One Hundred Twenty-five Thousand and No/100 (\$125,000.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2004-2005 to be used to pay the consent judgment in favor of David Allen Paul and Robert Stephen Paul in the suit entitled "David Allen Paul and Robert Stephen Paul v. State of Louisiana, Department of Transportation and Development", bearing Number 2002-3510-A on the docket of the Twelfth Judicial District Court, parish of Avoyelles, state of Louisiana."

AMENDMENT NO. 52

On page 17, line 23, change "FF." to "FF.(1)"

AMENDMENT NO. 53

On page 17, between lines 28 and 29, insert the following:

"(2) The sum of Four Thousand and No/100 (\$4,000.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2004-2005 to be used to pay the consent judgment in favor of Sean Fulton in the suit entitled "Sean Fulton v. State of Louisiana, Department of Transportation and Development, City of Donaldsonville, Street and Parks Department, Bouchereau Oil Company, Great American Alliance Insurance Company and Risk Management, Inc.", bearing Number 75,004 on the docket of the Twenty-third Judicial District Court, parish of Ascension, state of Louisiana."

(3) The sum of Ten Thousand and No/100 (\$10,000.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2004-2005 to be used to pay the consent judgment in favor of Beverly Smith and Randy Smith in the suit entitled "Beverly Smith and Randy Smith, Individually v. State of Louisiana, Department of Transportation and Development", bearing Number 2003-000696 on the docket of the Fourteenth Judicial District Court, parish of Calcasieu, state of Louisiana.

(4) The sum of Two Thousand Five Hundred and No/100 (\$2,500.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2004-2005 to be used to pay the consent judgment in favor of State Farm Mutual Automobile Insurance Company, and the sum of Twelve Thousand Five Hundred and No/100 (\$12,500.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2004-2005 to be used to pay the consent judgment in favor of Carl D. Anderson in the suit entitled "State Farm Mutual Automobile Insurance Company as Subrogee or/and Carl D. Anderson v. The State of Louisiana, through the Department of Transportation and Development, and Modjeski and Masters, Inc.", bearing Number 03-7242, Div. H, Sec. 12, on the docket of the Civil District Court, parish of Orleans, state of Louisiana."

AMENDMENT NO. 54

On page 18, line 12, after "LL." insert "(1)"

AMENDMENT NO. 55

On page 18, between lines 19 and 20, insert the following:

"(2) The sum of Five Thousand and No/100 (\$5,000.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2004-2005 to be used to pay the consent judgment in favor of Janice Wood and Stacy Wood in the suit entitled "Janice Wood, wife of and Stacy Wood v. Benjamin Wood, Lindsey Adkins, Allstate Insurance Company and the State of Louisiana, through the Department of Transportation and Development", bearing Number 2002-15841 on the docket of the Twenty-second Judicial District Court, parish of St. Tammany, state of Louisiana."

AMENDMENT NO. 56

On page 18, line 38, delete "of the state of" and insert "by Statutory Deductions out of the 2004 Overcollections Fund"

AMENDMENT NO. 57

On page 18, line 39, delete "Louisiana"

AMENDMENT NO. 58

On page 18, line 46, change "Section 4." to "Section 4.A"

AMENDMENT NO. 59

On page 19, between lines 9 and 10, insert the following:

"Payable out of State General Fund (Direct)
for the Louisiana Capital Area Economic
Development Allies, Inc. \$167,000"

AMENDMENT NO. 60

On page 19, between lines 20 and 21, insert the following:

"19-600 For the Louisiana State University Baton Rouge

Payable out of the State General Fund by
Interagency Transfers from the Department
of Education for the LSU Laboratory
School at LSU A&M \$177,072

19-615 For Southern University A&M College - Baton
Rouge

Payable out of the State General Fund by
Interagency Transfers from the Department

of Education for the SU Laboratory School
At Southern University A&M College -
Baton Rouge \$33,201"

AMENDMENT NO. 61

On page 19, between lines 25 and 26, insert the following:

"B. Notwithstanding any provision of law to the contrary,
including the provisions of R.S. 39:126, the following capital
outlay change order is hereby approved:

Mandeville
Galvez Sreet, Phase III
U.S. 90 Outfall, Drainage
Improvements
Project No. 50-MH8-0201
Credit Change Order over \$50,000 \$344,480

Provided, however, that before the change order shall be finalized,
the commissioner of administration shall review and approve all
necessary change order forms."

AMENDMENT NO. 62

On page 22, on line 23, delete "\$24,215" and insert "\$165,060"

AMENDMENT NO. 63

On page 24, at the beginning of line 11, delete "\$479,778" and
insert "\$2,147,105"

AMENDMENT NO. 64

On page 25, on line 22, delete "and Uncompensated Care Costs"
and insert "for a total of \$12,628,146"

AMENDMENT NO. 65

On page 25, delete lines 23 and 24 in their entirety

AMENDMENT NO. 66

On page 26, at the end of line 4, delete "and" and insert "for a total
of \$31,337,800"

AMENDMENT NO. 67

On page 26, delete lines 5 and 6 in their entirety

AMENDMENT NO. 68

On page 27, delete lines 4 and 5 and insert the following:

"B. The sum of Thirty-one Million Seven Hundred Twenty
Thousand and No/100 (\$31,720,000) Dollars, or so much thereof
as may be necessary, is hereby"

AMENDMENT NO. 69

On page 27, between lines 23 and 24, insert the following:

"Section 10. The appropriation contained in Section 18,
Schedule 20-945 STATE AID TO LOCAL ENTITIES, of Act 1 of
the 2004 Regular Session of the Legislature to the town of
Arcadia in the amount of \$50,000 is hereby amended and
reenacted to read as follows:

Payable out of the State General Fund (Direct)
to the town of Arcadia for a stage
project (\$25,000) and for a downtown restroom
and park project (\$25,000) \$50,000

Section 11. The following sums are hereby appropriated from
the sources specified and in the amount specified for the 2004-
2005 Fiscal Year:

A. The sum of Five Thousand and No/00 (\$5,000.00) Dollars
payable out of the State General Fund (Direct) to the Department
of Transportation and Development to satisfy the "Memorandum
of Settlement Agreement" between the Department of
Transportation and Development and the Department of Health
and Hospitals rendered through mediation with respect to the case

captioned "Murphy Matthews v. Gerard Kraemer, DOTD and Farm Bureau", case Number 79634 in the Seventeenth Judicial District Court, state of Louisiana.

B. The sum of Ninety-two Thousand Nine Hundred Fifty-one and 42/100 (\$92,951.42) Dollars is hereby appropriated out of the General Fund of the state of Louisiana to the First Circuit Court of Appeal for the State of Louisiana, to provide for reimbursement of legal expenses of Jeffrey Hughes, pursuant to recommendation by the Attorney Fee Review Board.

C. The sum of Sixty-eight Thousand Seven Hundred and 89/100 (\$68,700.89) Dollars is hereby appropriated out of the General Fund of the state of Louisiana to the Department of Social Services, to provide for reimbursement of legal expenses of Andrew Mata, pursuant to recommendation by the Attorney Fee Review Board.

D. The sum of Nine Thousand Five Hundred Thirty-seven and No/100 (\$9,537.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana to David A. Ritchie for payment of fees and expenses associated with his legal representation of juveniles in the matters entitled "State of Louisiana, In the Interest of J.M.H. and E.H.", and "State of Louisiana, In the Interest of C.J.K. and K.K." bearing Numbers 12616 and 13534, respectively, on the docket of the Fourteenth Judicial District Court, parish of Calcasieu, state of Louisiana.

E. The sum of Twelve Thousand and 00/100 (\$12,000.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana to the Department of Transportation and Development, to provide for reimbursement of legal expenses of Alan J. LeVasseur, pursuant to recommendation by the Attorney Fee Review Board.

F. The sum of One Thousand and No/100 (\$1,000.00) Dollars out of the General Fund of the state of Louisiana to the Department of Education, to provide for reimbursement of legal expenses of Wilmar Jerry O'Shee, Jr., pursuant to recommendation by the Attorney Fee Review Board.

Section 12. The State General Fund (Direct) appropriation contained in Act 1 of the 2004 Regular Session of the Legislature contained in the DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT, Schedule 07-273 ADMINISTRATION in the amount of \$200,000 for expenses related to the relocation of a DOTD building in Livingston Parish is hereby null and void.

Section 13. The following language is hereby substituted for the 2004-2005 Fiscal Year.

19-620 University of Louisiana Board of Supervisors

Provided, however, that of the State General Fund (Direct) appropriation contained in Act 1 of the 2004 Regular Session for the Louisiana Board of Supervisors, \$1,600,000 shall be allocated for the development and implementation of programs at Grambling State University to attract other race students, pursuant to the United States v. State of Louisiana Settlement Agreement, Sections 13 and 14. The University of Louisiana Board of Supervisors shall determine the allocation for each program at Grambling State University from this amount.

Provided, however, that of the State General Fund (Direct) appropriation contained herein for the University of Louisiana Board of Supervisors, the amount of \$200,000 shall be allocated for graduate scholarships for other race students pursuant to the United States v. State of Louisiana Settlement Agreement, Section 22(e). The University of Louisiana Board of Supervisors shall determine the allocations for each affected institution from this amount.

Further, provided, similar language contained in Act 1 of the 2004 Regular Session shall be null and void.

Section 14. The commissioner of administration is hereby authorized to expend a sum not to exceed Two Hundred Fifty Thousand Dollars and No/100 (\$250,000.00) for the compromise or settlement of the claims against the state in the suit entitled "Atlas Demolition and Underground, L.L.C. v. The Board of Commissioners of the Orleans Levee District," bearing Case Number 2003-08423, on the docket of Section 06-C of the Civil District Court for the Parish of Orleans, State of Louisiana.

Section 15. Notwithstanding any provisions of law to the contrary, including provisions of any Capital Outlay Act, the following appropriations are hereby made out of the interest earnings from the investment of general obligation bond or not proceeds in the Comprehensive Capital Outlay Escrow Account:

Supplemental Funding	\$57,346
LSU Health Sciences Center Shreveport	
Fire alarm Replacement & Life Safety Modifications	
Project No. 19-604S-96B-04, Pt. AA	

Supplemental Funding	\$100,000
Louisiana School for Math, Science and the Arts	
Renovation & Expansion of Annex, Cafeteria & Auditorium	
Natchitoches, Louisiana	
Project No. 19-657-02B-03, Part 01	

Supplemental Funding	\$1,048,372
Old US Mint Exterior and Painting	
Louisiana State Museum	
New Orleans, Louisiana	
Project No. 06-263-03B-04, Part 01	

Supplemental Funding	\$345,000
Cooling Tower Replacement	
E.A. Conway Medical Center	
LSU Health Sciences Center	
Project No. 19-604S-04B-05, Part 01	

Supplemental Funding	\$200,000
Student Activity Center Renovation and Addition	
Southern University - Shreveport	
Project No. 19-618-03B-01, Part 01	

Supplemental Funding	\$210,000
Sprinkler Freeze Protection Devices	
Pinecrest Developmental Center	
Pineville, Louisiana	
Project No. 09-347-01B-01, Part 2	

Supplemental Funding	\$95,000
Sprinkler Freeze Protection Devices Installation	
Metropolitan Development Center	
Belle Chasse, Louisiana	
Project No. 09-342-03B-05, Part 1	

Supplemental Funding	\$35,000
Replace Sewer System	
State Police Troop A	
Baton Rouge, Louisiana	
Project No. 08-419-02B-04, Part 1	

Supplemental Funding	\$25,000
Existing Chiller Replacement	
Region IV Office of Mental Health	
Dr. Joseph Henry Tyler Jr. Mental Health Center	
Lafayette, Louisiana	
Project No. 09-330-99B-01, Part 03	

Supplemental Funding	\$305,500
Office of Public Health Laboratory	
Department of Health and Hospitals	
Project No. 09-326-93B-02, Part 01	

Supplemental Funding	\$750,000
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June 19, 2005

Land Acquisition for Post Secondary Educational Institutions
Project No. 19-671-01B-02, Part 17

The appropriation of monies in this Section shall be deemed to be and shall constitute approval by the Joint Legislative Committee on the Budget."

AMENDMENT NO. 70

On page 27, line 24, change "Section 10." to "Section 16."

On motion of Senator Heitmeier, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 877—

BY REPRESENTATIVE TOWNSEND
AN ACT

To enact R.S. 51:1792, relative to eligibility for tax incentives under the enterprise zone program; to provide for the eligibility for certain video draw poker owners or operators; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**Privilege Report of the
Legislative Bureau**

June 19, 2005

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication.

HOUSE BILL NO. 461—

BY REPRESENTATIVES ALARIO AND TRICHE
AN ACT

To enact R.S. 39:1496.1(E)(3)(c) and to repeal R.S. 17:2008, relative to certain state funds; to provide for the transfer of certain monies to the Louisiana Medical Assistance Trust Fund; to establish the Energy Performance Contracting Fund as a special fund in the state treasury; to repeal the Vocational-Technical Enterprise Fund; to provide an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 842—

BY REPRESENTATIVES ALARIO AND TRICHE
AN ACT

To appropriate funds and to make certain reductions in appropriations from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations and reductions for said agencies and purposes for the 2004-2005 Fiscal Year; to establish certain special treasury funds; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 877—

BY REPRESENTATIVE TOWNSEND
AN ACT

To enact R.S. 51:1792, relative to eligibility for tax incentives under the enterprise zone program; to provide for the eligibility for certain video draw poker owners or operators;

to provide for an effective date; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
ARTHUR J. "ART" LENTINI
Chairman

Adoption of Legislative Bureau Report

On motion of Senator Lentini, the Bills and Joint Resolutions were read by title and passed to a third reading.

Adjournment

Senator Bajoie moved that the Senate adjourn until Monday, June 20, 2005, at 9:30 o'clock A.M.

The President of the Senate declared the Senate adjourned until 9:30 o'clock A.M. on Monday, June 20, 2005.

GLENN A. KOEPP
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk